

A General  
DISCOURSE  
OF  
SIMONY.

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B Y  
J A. METFORD, Rector of *Bassing-*  
*ham in Lincolnshire.*

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*Ubi aurum placet, ibi & vitium.*  
*Greg. l. 9. ep. 40. Isicio Epd. Hieros.*

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L O N D O N,  
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A. C. 1851

DISCOGRAPH

SIMON

1851

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T O

The Right Reverend Fa-  
ther in God THOMAS  
Lord Bishop of Lincoln.

My Lord,

**Y**Our incessant pains, and sin-  
cere endeavours both by Coun-  
sel and Elaborate Tractates, do  
sufficiently discover you a true English  
Prelate, and able Patron of the Prote-  
stant Cause. And your great vigilance  
and integrity in your high and holy  
Calling, hath given you a just esteem  
in the hearts of good men; and wrought  
a belief in your Diocess, that things are  
well done if they gain your approba-  
tion. Which forces me to give you the  
trouble of hearing, that about a  
month before the death of the Learned  
and truly Reverend Dr. Michael

## The Epistle Dedicatory.

Honywood late Dean; and now the just grief of the Church of Lincoln; he was pleased to inform me with some Representation of the too great Progress of Simony in this Nation; bewailing the fatal Consequences of it to the Church, and commanding me to say something (if possible) to stop its growth. To which I answer'd, but with two sad assurance of truth, that I had travail'd less in the search of that Subject than in most others that a Divine is obliged to know. And besides was so valetudinary, that in few days time I used to hear some soft Footsteps of approaching Mortality: which (though he knew to be true) yet his warm heart would not retreat, but permitted me only to be a little shorter. Two days after, I was advis'd to travail about sixty miles, to a Spaw for health; which I did: and at my return, was saluted with the most unwelcome News of the Deans death: so that I was forced to share

## The Epistle Dedicatory.

share in the common sorrow. Though (not to dissemble) 'twas some ease to me, that I was delivered from my promise to him. But about five weeks since, a common Friend, conscious to my Obligation, demanded an account of Simony; as promised to the Deceased: I answer'd, that death had cut the Band of that Promise: He replied, that the Deans life or death was no condition of it; and the reason of performing, was the same now as before. I submitted; and do now humbly present these weak Lines to your Lordships view; desiring (if they are thought of any use) they may pass your Diocess under your Protection. I know the design is useful, though the ill handling may offend. If your Lordship think them useless, be pleased to receive them to that sure Sanctuary of Secresy and Silence; which will be most safe for

Bass. Dec. 2d.  
1681.

Your Lordships most dutiful  
Petitioner and Servant,  
Ja. Merford.

The Little Dictionary

There is the common form. Though

(and to 4/10) it is not to be

used in the same way as the

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A General

## DISCOURSE

O F

## SIMONY.

**C**Onsidering the smart Reflections, lately made by a very worthy Gentleman on a Practice but too common in this degenerate age, of giving Bonds to Patrons for the Resignation of a Benefice at their pleasure : and noting some Commotion in his mind, I assured my self, so strong and sound a judgment, could not be rapt away by his well-commanded passions ; but upon the sharpest Spur of Provocation : and therefore suspected some secret venom, in that which seemed to once thinking men, a harmless practice. The deeper I did dig into it, the stronger and ranker the stench smelt up ; which at length convinc'd

B me,

## A General Discourse

me, that no less than a bottomless Pit of Mischief lay under it; which I hope to discover, by shewing both the nature of Simony in general, and what share these Bonds for Resignation bear, in that weighty guilt.

*Simony* is so called from *Simon Magus*, that famous *Samaritan* born at *Gitton*, mentioned in *Acts* 8, who

*Hist.* 1. 2. c. 12.  
*apology.* 1.

Θεὸς ἐνομιζέσθαι

καὶ ἀνδεῖσθαι

παρ' ἡμῶν ὡς

θεοὺς τεύχοντο.

*L.* 1. *adv.* *har.*

*10.* *Ephiph.* *adv.*

*har.* 10. 2. 1. 1.

*her.* 1. & *Aug.*

*ad Quod.* *har.* 1.

came to *Rome* in the Reign of *Claudius Caesar* (says *Eusebius*) where he was worshipped in an Image (says *Just. Martyr*) between the two Bridges of *Tyber*, with this Inscription, *Simoni Sancto Deo*; yea the *Samaritans* and many others also, adored him saith *Irenaeus*. The occasion of his giving the name to *Simony*, is set down *Act.*

8. 20. *A Petro Spiritus Sancti gratiam mereari volebat, unde vitio nomen dedit,* (says *Aquinas*) and many others. Not but that the crime had got footing in the World long before, and was known to the *Jews* by the name נִסְיוֹן, and by the *Arabians* نِسْيُون, says *Schindler*; and both from נִסְיוֹן fraudavit expilavit. The *Greeks* knew it by the Name πεισβολα. And the *Latines* by the word *Ambitus*. Which I note, to shew 'tis a moral evil,

evil, and was troublesome to all Nations and Religions. But this bold Chapmans offer, purchased not the grace of God, but disgrace of turning his name into sin, by which he will be justly infamous to the last gasp of time.

The nature of this sin is well discovered, by them that call it *Studio- Panorm. & nemib*  
*sam voluntatem, nundinandi aliquid spi- extra Aquinas*  
*rituale, aut spirituali annexum*; for 'tis Sa. &c.  
 a desire, and endeavour to make Merchandise of things sacred. Some add *insecuto opere*, but the purpose of the heart is *Simony*, though we can't accomplish it, as *Simon* could not. And 'tis the heart *Peter* blames. *Thy heart is not right in the sight of God.* Acts 8. 21. And again, v. 22. *if perhaps the thought of thine heart may be forgiven thee.* 'Tis true, *in foro soli*, some overt Act must appear; but *in foro poli*, the design though frustrate, is the crime. 'Tis a crime that *Stella* charges, for the teeming womb of infinite Evils, that follow; contrived by *Herod*, to render the Jewish Church contemptible; making the Priesthood annual; as *Joh. 11. 49.* shews, that *Caiaphas* was High-Priest for that year only: and *Anas* soon after, as Acts 4. 6. evidently

discovers. Which, says he, forc't the High Priest to oppress the People, for the raising such Simoniackal Sums. And unworthy men, thereby get into the greatest trusts in the Church; which made the times, *Calamitosa & Miserranda*, as also it doth ours.

But for the better displaying this growing sin, we shall consider 1. Its species, buying and selling things sacred. 2. The things bought and sold. 3. The means by which 'tis done.

1. The Species, buying and selling, which being Relative Acts, will in their own nature, be alike lawful or unlawful: though accidental circumstances, may make them more evil to one than another. Like *Judas* selling, and the *Jews* purchasing the Son of God. The *Scotch* selling, and the *Rumpers* buying *Charles* the first. Or *Didius Julianus* buying and the *Pretorian Cohorts* selling, the sacred Roman Empire. Or *Herod's* selling and *Caiaphas* buying the holy Order of the *Jewish* High-priest. 'Tis hard to say which is most tainted with the corruption of Avarice, since both their breaths smell so exceeding earthy. 'Tis but *Cretensis cum Aegineta*, two  
Knaves



Knave well met : poysoning each other, as the Toad doth the Spider. They both labour under the same disease of greedy desire ; having Souls black as Hell by those deeds of darkness. Like *Attabus* and *Numenius*, that puzl'd *Apollo* himself to determine which was worst : being both Loaves of the same sowre Batch : Viols in unison, wound up by the dexterity of the Devil. He that thinks himself best, is but the greater Deceiver, and the weaker head. They broke both the same laws of God and Man, from the same principles of sordid covetousness ; to the same end to enrich themselves on the Spoils of Religion. Averring both the same damnable positions, \* that Money is the necessary qualification for the Ministry. And that Poverty is the best evidence of a scandalous and insufficient Minister. They may differ in their Coat, but wear both the same Cloak of Secresy to cover their Knavery.

Can a greedy Patron (shall I call him, or *Latron*) excuse himself from Sacrilege, whilst he fills his bottomless Bag out of the Church Revenue ? Can he fancy himself not perfidious, that being

*Quasi nullum sit peccatum majus quam nummis carere. Espenc. in Tit. c. 1. Credidit ingens pauperiem vitium. Hor. serm. 2. sat 3. nunc sua barbaries grandis habere nihil. Laxo est qui aurum ex religione secat. Hieron.*

\* *Deposita pie-  
tatis, says Crig-  
ter. 31 in Math.  
Terr. apolog. c.  
39.*

\* *Quicquid  
multis peccatur  
multum est. Lu-  
can. 1. 5.  
\* Nihil ad ex-  
tenuationem de-  
licti numerus  
impudens valere  
consuevit. Cyp l.  
1. ep. 26. sed pu-  
dor & modestia*

but a \* Trustee for the Churches Por-  
tion, treacherously converts it to its  
own use. What did *Ananias* do more,  
than retain part of what was devoted  
to Gods service? O the divine charms  
of Money, that can so far blind men,  
as not to discover sins of the greatest  
size! Can they hope to avoid the  
shame and punishment of thievery,  
that so audaciously rob God? *Mat. 3.*  
*8.* Or can their witty guilt find out  
any fair gloss to elude the teeth of the  
Text from biting them. Must God be  
forc'd to pay tribute to their Cove-  
nous Deities? Will men take Heaven  
to satisfy their unsatiable appetites?  
Tis strangely sawcy to lick their fin-  
gers in God's Broath. *Major Nummi  
quam Numinis ardor.* They shew more  
devotion to the Golden Calf, than the  
God of *Israel*. It seems they are of  
*Vespasian's* mind, that Gold smells well,  
though pickt out of Gods pocket. Can  
Custom prescribe against honesty? Can  
wrong by \* multitudes of sinners be  
bound to right? Is Robbery the more  
lawful, because committed on the  
Church? \* Or the less criminal, be-  
cause many practise it? Can they  
guess themselves good men that won't  
do

do their duty without Bribery? If it be not the Churches Right, why do they give them any? If it be, why do they detain any? He that invades some part of the Church Revenues, would all, but for shame of the World; having as true a right to all, as to any part of it. What defence will it be at the last day, to say we are Gentlemen, and have robb'd none but God; and defrauded none but the Church; nor been dishonest to any but the Ministry? God will reward them, for giving his Prophets a Cup of cold Water: but so will he too, for cheating them of half their maintenance. And certainly, *Cicero* is right, that those men are the greatest plagues of the Common-wealth, that doing evil, *Id agunt, ut boni viri esse videantur*. They expect to be esteemed honest in the fowlest Acts. *Luds off. 1. 1.*

Now for the Buyer; we have the less to say against him, because his Act is partly involuntary: yet there could be no Sellers, were there no Buyers, for both are necessary to make up a Market. At best, he doth evil, that good may come of it; and sticks not at bribery, to make way for a Be-

## A General Discourse

nefice, *quocunque modo rem*. He plucks  
 the Devils Office out of his hand,  
 and turns Tempter of his Patron;  
 and prefers the call of Gold, before  
 the call of God. He declares himself  
 without merits, seeing his money is  
 to answer all things, and seems a bet-  
 ter purchaser than Preacher. If (with  
*Chrysostome*) he hath not a golden  
 Mouth, he hath a golden Hand. If  
 he can't enter as *Simon Peter*, yet can  
 like *Simon Magus*, with Letters Testi-  
 monial in Golden Characters: and  
 then says one, He is in the Church,  
*stell. in Luc. 12. permissione non voluntate Dei*; by per-  
 mission, but against the will of God.  
 And by this he discovers his aim, to  
 be more at the benefice, than office  
 of a Divine; which may be had in a  
 more populous, and less profitable  
 place, at a much lower Rate. *Non con-*  
*stituit Dominus, sed ipsi se constituerunt*,  
 says he. 'Tis not the Saints Bell of  
 divine Invitation, rings them in, as  
 Bees are courted to their Hives; but  
 'tis the tinkling of their Silver: which  
 shews they go in their own errand,  
 not Gods. And how can men choose  
 but suspect them, for bad Servants;  
 that are forc'd to hire their Services.  
 Nay

Nay they are rather Slaves than Servants in the house of God ; that Enter and continue shackled in Manacles and Chains of Bonds, Contracts, Covenants, Limitations, and a thousand other Inventions of darknes. These Links of Iron gall them at every nod of the Patrons displeasure ; which they allways fear, more than the saddest presages of a guilty conscience.

That the Purchaser may know his condition, let him read his Indictment before the great and dreadful Assizes come : that he may the better fit himself for his Answer. He stands indicted for filthy Avarice, the ground of his sacrilegious purchase. For desperate audaciousness, in thinking himself worthy the weightiest trust in the Church. While St. Hierom calls it, *Onus Angelicis humeris formidandum*, *Jonah* in a great fright fled from it. *Jer. i. 6.* Cryed out, *ah Lord I am a Child, I cannot speak.* And many of the primitive Fathers, had almost the skin of their Modesty pluckt over their ears, before they could be induced to come near the holy Vestments. Nor are his Treasons less, conspiring with his

*Cornelius vim passus est ut Episcopatum coactus exciperet. Cyp. i. 1. Ep. 52. St. Aug. wept when elected to the Bishoprick of Hippo. Possidon. in vita August. Greg. Thaumaturgus fled into the Wilderness to avoid a Bishoprick. v. Nyssen in vita Ireg.*

his Patron, against the liberty of God's Church, and pawning his Living on it, to preach what heresy his Patron shall require. He commits Burglary on the Church of God, breaking open her door with a Golden Cramp; and forces the holy Spouse of Christ against her will; and values the inestimable grace of God at the rate of worldly pelf. Good God! what Adamant is his heart made of? how obdurate is his conscience, that groans not under these heavy weights of sin? Venturing boldly on that villany, that all good mens hearts, in former ages, trembled at. I must leave him to prepare his answer at that great Tribunal; or else for slighting this timely notice.

2. Let us consider the things bought and sold; which to shew them to be Simony, must be the gifts of the holy Ghost; both ordinary, and extraordinary, real or so accepted. Whatsoever is sacrilege to take away from the Church, is Simony to buy or sell in the Church. But we may reduce them (though scarcely numerable) to the ensuing heads. i. Buying and Selling, the instituted means, by which

which the holy Spirit is attained ; as Prayers , whose Evangelical worth cannot be valued , and if purchased are worth nothing. 'Tis the worst kind of Usury to take ten *per Cent.* for our Prayers , or else not to let them out ; I confess I know no Church that hires out Prayers , or Masses at 12 *d.* a piece , but the Church of Rome ; which excells in this kind of Alchemy , turning all Materials into Gold. In our Church 'tis decreed by *Edmund* Archbishop of *Canterbury* , in a Provincial Synod , holden about the year 1250 , That no Masses be sold , nor any thing given or taken , for *Annalia* or *Tricennalia* *Missarum* , as *Lindwood* shews us ; which were Masses for a year , or 30 Masses , if the word be rightly written , and not *triennalia* as some suspect ; which would be Masses for three years. So too , for Sacraments largely or strictly taken : since they were the Golden Vessels , in which grace was conveyed ; the Church ever held them invaluable : knowing that it would have beggered all the Angels of Heaven fully to compensate for any one of them. Hence *Stephen Langton* , in the first Council of *Oxford* ,

*Prov. vetu sl.  
tit. 2. cap. pra-  
terea venal.*

*Anno*

Provin. ib. cap.  
firmiter Inhibe-  
re.

*Anno Christi 1222* decreed, That nothing be required for Baptism, *Chrisme, vel aliquod Ecclesiasticum Sacramentum.* And so is the Legantine Constitution of *Otho, A. D. 1236. tit. 4. cap. auditu horribili, &c.* concerning Confession or Penance, as they call it, which is again confirmed, by *Othobon* another Legate, *A. D. 1268*, with stricter Injunctions; as appears *tit. 2. cap. Quoniam cetera potestas &c.* where he speaks not of Confession, and *Chrisme* only, but adds, *Et qui alia quolibet Sacramenta, interventu Pecunie conferunt, sitales invenerint (sc. Archidiaconi) eos tanquam Simoniacos puniant.*

2. To Buy or Sell the Offices of the Church, instituted by the holy Ghost, which (tis very probable) was the design of *Simon Magus*: to have been an Apostle, or at least a Bishop in the Church. For

1. By Apostles, or Apostolical men only, was the power of miracles conferred on others: and therefore it must be their authority that he would purchase: and 'tis the authority denominates the person.

2. He desires to do it by laying on of hands, which was an act of Office power,



power, in Ordination, Confirmation, and such like.

3. It seems by St. *Peter's* answer, he so understood him : for he says, *Thou hast neither part nor lot in this matter*, or in this word, *μαρὶς καὶ μερίς ἐν τῷ λόγῳ τούτῳ. Act. 8. 21.* As if he had told him, Thou hast no share in the Apostleship, nor Call to be in the Clergy : or to publish this word of God, which is confirmed with these miracles.

4. The powring out these gifts upon men, was but an extraordinary Ordination to the Ministry. Which appears, 1. In that it was not given to all that were baptized ; for then *Simon* had shared without Money. 2. Nor can men give any Reason, for these gifts of tongue, unless they were to be used in the Ministry. Since the faith might be confirmed, as well to their own minds, internally by the Testimony of the holy Ghost. 3. Nor were these gifts given to any Woman that we read of, and therefore were not necessary to confirmation of the faith, nor sanctification in the faith internally : for that they needed as well as men ; but that Sex was forbidden

bidden the Ministry. Nor do we want concurrent judgments in this point, both ancient and modern ; but that is beside my design to prosecute. Only I observe *Cornel. a Lapide* so very particular, as to affirm, that he desired the Bishoprick of Samaria : And *Bellarmino* is very certain, he offered Money for the Episcopal authority. *Constat Simon Episcopalem auctoritatem ambivisse, & durâ pecuniâ emere voluisse.*

*A Lap. in loc. l.  
4. de notis eccl.  
6. 13.*

That the buying or selling any office, instituted by the holy Ghost, in the Church, was adjudged Symony, appears by *Stratford*, who decrees *Anno Domini 1342* (as *Sharrock* affirms out of a Mss. in *Bodley's Library*) *nec decet episcopum manus impositionem vendere : nec ministrum, calicem vendicare.* And accordingly 'tis determined in the Council, that from thence-forward, the whole charges of every distinct Ordination, and Letters of Orders sealed in *England*, should cost the Ordained but 6 d. and all instruments, for settling the Clerk in his benefice, but 12 d. *vid. Lindwood, l. 3. tit. 22. de censibus. Cap. Savâ & miserabilis, &c.* And if the Candidate  
for

for Orders, proved Simoniacal, *ad quoscunque Ordines ne præsumat accedere*, says *Walter Reynold Arch. Cant.* in the second Council at Oxford, A. D. 1322.

And if he could get into Orders undiscover'd, yet is he declared by *Edmund Arch. Cant.* Irregular; and he compares him with Homicides, Incendiaries; and forbid to dispense divine Mysteries till he have made full satisfaction to the Church. Thus too,

*Prov. vet. l. i. tit. 4. de Ordinandis.*

it was managed under Pope *Greg. M.* in the reign of *Mauritius*, who following the sacred Rules of his Predecessors, decreed, *nihil unquam de ordinationibus accipiendum*: no nor for the Pall, nor any Papers: and gives this reason for it, *Quia non decet aut Episcopos suam manum, aut Ministros, vel*

*Greg in Synodo Rom.*

*Notarios, suam vocem vel calamum vendere.* And indeed it looks a little uncouth, that a man should purchase leave to serve God; and hire the preferment of being Christ's Messenger. And that the Ordainer should sell the Spirit, as *Judas* did the Son; and the Ordained like cursed *Jews*, should be the Buyers. *Midas* Fable is but too sinfully verified in such men, since their Touch turns all to Gold. Doubtless they would

would not give the droppings of their Nose, whose very breath cost men so dear. But we may well desist, this Crime being more rare, than Wolves in *England*, since the Reformation: and seems to be a native plant of *Italy*: flourishing no where so well, as where the Pope hath set his foot. Of which the select Cardinals make a most sad Complaint to *Paul 3d.* saying, they discovered in *Eligentibus cecitatem, in Electis insulstatem, in utrisq; Simoniacam perversitatem.* The scrutiny at *Rome* who is fit for Orders, is made in the Pocket, not in the Pate: nor do they examine his Conversation, but his Compensation: 'tis no matter if he be no able Scholar, so he be an able man. Nay a Child will serve the turn, for the best Bishoprick in *France*, if he send a golden Orator to procure it. The Pope once told his Cardinals upon preferring a mean man: if the King of *England* had desired his Horse to be made a Bishop, he would not have refused him; for the King had commended him, not in a long Testimonial, but in a round Summ, which with them is the Total of all perfection.

The

The *Centum Gravamina* complains, *indoctis, agasonibus, stabulariis, dantur beneficia*. Hostlers and Grooms were well enough letered, if well enough lined. *Picus* Count *Mirandula* tells Pope *Leo 10th* to his face and his Council in *Lateran*, That they gave Church Livings, *lenonibus, & Catamiis*, to Pimps and Panders, *Ganymedes*, and what not for Money? Yea, the very Apostolical Legates (as they fanatically Cant) in the Council of *Trent*, confess men were ordained into the Church, that had nothing Canonical but their Copes and Callocks. What *Naucerus* confesses of *Boniface 9th* time, *Curiam Romanam labe Simoniacâ infamem esse*; was true long before, and it may serve for their *Gen. 47* Character ever since. Let the *English* Clergy rejoyce that they live out of the reach of these *Tarpeian* Harpies: which made our Predecessors purses tremble at every screech of the impure Bird.

3. And to buy and sell the Mansions of the holy Ghost. Here the Pastors and Teachers, are set over the Church by the holy Ghost; the Church is the Temple of Christ, and the whole mat-

*Epiph.*

*Aug. ad quod  
vult d. de her.  
in principio.  
Greg. l. 3. ep.  
13. & passim.*

*Lib. 2 tit. 6. de  
jureju.*

ter spiritual. Now in buying and selling these, Gods people are bought and sold like Slaves, in this profane Market. The Souls of Men, once valued so high, as to be the purchase of our Saviours precious blood, are now sold for a sacrilegious Bribe. O unheard of impudence! that makes those invaluable Jewels, the matter of vain Mens traffick. This was so hateful to the ancient of piety, that they judg'd the very opinion of its lawfulness, a hæresy: and so doth *Epiphanius*, *St. Augustine*, *Greg. Mag.* and so *de Langius*, and *Schaffnaburgensis*, in their Chronicles all along. Yea so hateful hath it been to the whole Christian Community, that an Oath hath been administred against it for many ages. And for *England* in particular, 'tis decreed in *Conc. primo Oxon.* under the said Archbishop, *Stephen Langton*, That all Bishops should impose an Oath on any suspected person: that *nec promiserit, nec dederit aliquod presentanti; nec aliquam propter hoc inierit pactionem.* I confess this Oath is very large, but it shews the piety of those times, would not endure any kind of bargain about these things.

And

And so watchful was this Council over the Bishops, that they decreed in Collation of a Præbend, *Commendum* or the like, the Bishop should receive nothing for Institution or Mission ; no nor *vel chartâ super hoc faciendâ*. Nor might he suffer his Officials or Archdeacons, to extort any thing : because (says the gloss) 'twas adjudged Simony so to do. St. Edmund goes farther with his Council, and degrees ; *nulli liceat Ecclesiam nomine dotalitatis ad aliquem transferre, vel pro presentatione alicujus personæ, Pecuniam, vel ali-quod aliud emolumentum, pacto interveniente recipere, &c.* In English thus, Let it be lawful for none to transfer a Church to any man, in the name of a Dowry (which is commonly called *Smock Simony*) or to receive any Money for the presentation of any person ; or to bargain for any other profit. Which if any shall do, and be convict in Law, or shall confess it ; we decree him as well by royal as our own authority, to be deprived of the Patronage of that Church for ever. This Canon being the chiefest against Simoniack Patrons, is by *Sharrock's* Edition of the Provincial

*V. l. 3. tit. 6. cap. Quia juxta.*

reckon'd to St. *Edmund*; but that is a mistake, for 'tis plac'd upon *Richard Wetherhead*, in the old Books, who was St. *Edmund*'s Predecessor: and so 'tis in the Syllabus of this election; and so 'tis reckon'd by other good Authors: and accordingly it bears date, *A. D. 1229*, which was two years before *Edmund* came to the see of *Canterbury*. And for the royal authority mentioned in it, I conceive it depends upon a former Canon, made under *Richard* Archbishop of *Canterbury*, in the reign of *Henry* the 2<sup>d</sup>, in his Synod held at *London*, *A. D. 1175*. Which decreed, that every Patron taking reward for any presentation, should lose his Patronage for ever. As *Hoved.* notes, in *Vita Hen. 2d*, at which decree, *Henry* the 2<sup>d</sup> and *Richard* the First were present, and consented. But because both these, transferred and forfeited a temporal right, which the Law (it seems would not allow a Canon to do) they both prov'd ineffectual. 'Tis pretty to observe, what pains the Glossator on this Canon takes, to explain *Perpetuum*, to be during the life of that Patron: being loath such hor-

rid



rid breaches of trust, should be too severely punished: when 'tis plain, that the King and Church, did by that means declare the trust forfeited for ever; by the abuse of it. But the Canon being rejected, the Lords portion is become his Daughters; the Patrons children are enabled to live by Sacrilege; and yet himself declared unfit to bear any Trust in the Church affairs. And the very Clouds labour with the weight of Curses that hang over his head. *Cursed be the Deceiver* saith *Malachi* 1. 14; and he is no small one, that deceives God, in what is intrusted to him: and *Mal.* 3. 9. *Ye are cursed with a Curse, for ye have robbed me.* *Remigius Altissiodor* renders *Anathema* by *alienatio*, and says, 'tis *in rebus, quas homines vota facientes, templo affigebant, & a se alienas faciebant*, and in truth, *ἀνὰ θύμῃ*, is put by good Authors, for *donarium Deo consecratum*, any thing devoted to God, and *ἀνὰ θύμῃ* for *Exitio destinatus*, one devoted to perdition, and both from *ἀνὰ θύμῃ* to set apart; as believing the curse of God and Man is intail'd on him that takes to himself, what is devoted to God. So that our Patrons Pa-

*com. in Zach.  
14. Bibl. pa  
tom. 1.*

Gen. 27. 12. *negyrick* is spoken from Mount *Ebat* ; and by these acts, as *Jacob* told his Mother, he rather brings a curse then a blessing on his Family. And this was

V. quest. 121. *Justin Martyr's* sense of *Anathema* too ; yea their own fathers, in their dedications, did themselves load them, that abridge or pervert their free Do-

\* *Darius* curse. nations, with most \* direful Imprecations : and why may they not fear the effects ? as *Hiel* the *Bethelite* many

EXRA. 6. 1.

The common

form is venien-

tibus contra hæc

& destruentibus

ea, occurrat deos

in gladio iro

& furoris &

vindictæ & ma-

ledictionis ater-

na v. Apostolatus

Benedict. in Aug.

Append. s. id. f.

60.

years after did feel the curse that *Joshua* many ages before, *Joshua* 6. 26, had laid upon him that should rebuild *Jericho* : for *Hiel* to please prophane *Ahab*, and to shew how gallantly he could delude those ancient curses, built on ; though he had lost his First-born Son *Abiram*, till all his Children perished, one after the other. So that the Gates (which were the last thing done), were erected in the death of his youngest Son *Segub*. Thus was the City built, but no Heir left to inherit it. 1 *King*, 16. 34. Yea the whole *English* Nation, have by joynt Votes and Statutes, commanded the Bishops of each Diocess, twice every year, solemnly to excommunicate all Persons whatsoever, that shall violate the

Stat. 25. Edw.

1. Anno Christi.

1297.

the

the great Charter, in any clause of it. The first of which confirms the Rights and Freedoms of the Church, which these men so boldly violate.

Nor hath the dire effect been less visible in this Kingdom, than any other. Look what curses overthrew *Necuchadnezzar*; the same or like, extirpated our *William* the Conquerer and *Henry* the Eighth: and that (as *Spelman* observes out of several Authors) at the same period: all their Names and Bloud being rooted out of the earth, in the sixty eighth year after their violations.

*De non temer.  
eccles. in pref.  
p. 24.*

As for *Henry* the 8<sup>th</sup>, he married Wives enough and on purpose to prevent the defect of issue; and enervate the foreboardings of his Adversaries. And left children enough to have possessed the Royal Throne to many Generation; had he not left a sacrilegious Phthisis amongst them, which the piety of his Children could not atone.

And for the Conqueror, 'tis observed by all sorts of Historians, how eagerly vengeance pursued him; after he had turn'd thirty six Parish Churches in *Hampshire*, with all their

Revenues, to his own use, for a Forrest. He did it in the Eighteenth year of his Reign, and *Anno 19*, his Son *Richard* was there goared by a Stag, says *Speed*. But Mr. *Cambden* says, by a pestilent Air breaking out of the Earth. The next year, his Horse affrighted with the flames of the City of *Maunts*, (which he burnt with the Church of *St. Maries* and two Anchorites) yarkt so unexpectedly, as to break his Riders Belly, of which he died. His Grandchild *Henry*, Son of *Robert Duke of Normandy*, hunting in this Forrest, is struck through the Jaws with a Bough of a Tree, and so ends his days. His other Brother *William*, made Earl of *Flanders*, was slain by his Uncle *Henry the 1st.* *Robert Duke of Normandy*, the Conquerors eldest Son, had his eyes put out, by his younger Brother *Henry the 1st*, and is starved to death after twenty six years imprisonment, by his Brothers Order in *Caerdiff Castle* in *Wales*. His Son *William Rufus*, was slain by a slant rebound of an Arrow shot at a Dear by Sir *Walter Tyrrel*, in the said Forrest, *Anno Regni, 13*, whilst himself gave the prophane

*Speed, fol. 429.*

*ib. Cambd. Brit. p. 259.*

*Math. Par. fol. 13.*

*Speed ib.*

*Math. Paris. f. 71.*

*ib. f. 73.*

phane command, *Trahe Diabole*, Shoot you Devil. *Henry* the 1<sup>st</sup>, was the Conqueror's fourth Son, and succeeded *Rufus* in the Throne; whose two Sons *William* and *Richard*, and his Daughter *Mary*, were all drowned together in a calm day, nigh the *Engliff* Shoar. And the King himself dies of a surfeit of Lampreys. Here is bloud touching bloud, vengeance upon vengeance. And so concludes this sacrilegious Conquerors Race: his name being quite put out.

But Judgment is often swifter than sixty eight years, for *Annanias* and *Saphira* died presently. And *William Marshal* Earl of *Pembroke*, that rob'd the Bishop of *Furnes*, of two Mannors belonging to his Bishoprick in *Ireland*: was assured by the Bishop, that in the next generation, his name should be extinct: and the King was told by him, that he should live to see it. Yet 'twas unlikely enough, for he had five Sons, lively and valiant men; but alas, all died Earls of *Pembroke* successively, within twenty five years, and his name and family utterly blotted out of the World.

*Goodwin, fol.*  
104.

*Mari.* 304.

*Goodw. f. 67.* *Goodwin* at large.

Cardinal *Woolsey*, seemed the Darling of his Prince and Countrey for many years : but he ventures on sacrilege, *Anno Hen. 8.* 17, and is in a premunire, *Anno Reg.* 21, and despoiled of all, even to the want of Bread. And the next year he is forced to take a Purge say some, Poyson say others, to get rid of his hated life. Nor did any one of his five Friends, miss of divine Vengeance, that he imployed in his Sacrilege, as is manifested by

There is a Family in the County of *Lincoln*, of a Noble Stock, to whom Fortune had never been unkind, till they dispeopled the Parish where they were seated by Inclosure; and impounded the Parish Church within their own yard, and took all the profits to their own use. Since which, a brisk and smart Providence hath so closely pursued them, that five Lords successively Possessors, and about nine or ten Heirs Male, have perished in the space of twenty years. A meer stranger to their blood is now in possession of the scantling left ; and there remains but one feeble Female to support it.

*Stani-*

*Stanislaus Socolovius* takes the *Turks* Orat. Stanif. Socolov. succesful inrodes into *Hungary*, to be a judgment on that Nation, for seiz- Gul. Tyrinus de bello sacro. 17. ing Churches Revenues. And *William* Bishop of *Tyre*, imputes the dismal blow given to the Knights Templars, to the heavy displeasure of God upon them, for detaining the Lands and Tythes given to the Church, to their own use.

Instances in this kind are almost infinite; and humane experience is nigh cloyed with evidences of the smart Reflections providence hath made upon Sacrilege. Whoever desires to be further satisfied in this matter, may be sufficiently furnished in *Bredenbachius*, Bredenb. de sacrileg. vind. & pane. and several other Authors, that handle it at large. And therefore with great reason, did that noble General *Monk* Duke of *Albemarle* rejoyce, that in all his ample Revenues, he had not one foot of Church Lands.

Nor is it from our purpose to observe, how exuberantly the blessings of Heaven have distilled on their heads, that have been careful to augment, rather than detract from the Lords Portion. God blessed the house  
of

1 Sam. 5. II.

1 Chron. 29. 3,  
4, 5, 9.

of Obed-Edom, for protecting the Ark, but smote all the *Philistines* that imprisoned it, wheresoever it came: so that *Ashdod*, *Gath* and *Ekron* cryed out, *Let it go again to its own place, that it slay us not, and our People: for there was a deadly destruction throughout all the City; the hand of God was very heavy there.* Who was greater than *Moses*, that made Collections for the service of God? Or who was more successful than *David* that rejoiced at the free oblations of the People? Instead of detracting, he made large provision for the worship of God; offering vast treasures; *Even 3000 talents of the Gold of Ophir, and 7000 talents of refined Silver, besides Vessels of Gold and precious Stones.* And this course too, steer'd that magnificent Prince *Solomon* the Wise. What vast Treasures did *Constantine* the Great, (a Prince unparalell'd for Wisdom, Piety, and Puissance) powre out upon the Church, to the provoking the envious Devil to cry out in his hollow shrieks in the air, *Hodie venenum infusum est in Ecclesiam.* Thus *Charles* the Great made it his chief study to increase the maintainance of  
of



of Religion : and God blessed them accordingly. While a sacrilegious *Henry* the 8<sup>th</sup>, is ever in straits.

*Hieron. de Cevallos* says, If the *Spanish* Territories be surveighed, it will appear, the Ecclesiasticks have full as much as the Seculars : which occasioned *Boterus* to say ; That for the Reverence and Wealth this Nation bestowed upon the Church, God gave them *Potozzi*, *Megalupa* and the rest of the *Indian* Mines.

*Relat. Univers.  
L. 1 p. 4.*

And indeed we have the best security the World affords to expect such success ; for God himself passes his word for it. *Malach. 3. 10.* Bring you all the Tythes into the Store-house, that there may be meat in mine house, and prove me now herewith, saith the Lord of Hosts, if I will not open you the Windows of Heaven, and pour you out a blessing, that there shall not be room enough to receive it, and ver. 11. I will rebuke the Devourer for your sakes, and he shall not destroy the fruits of your ground, neither shall your Vine cast her Fruit.

*Mal. 3. 10.*

*St. Aug.* affirms, *Decima ex debito requiruntur* ; and brings in God, challenging the whole profits, as Lord of the

*Aug. serm. 219.  
de temp.*

## A General Discourse

Walafrid. Sra-  
bo dereb. eccl. c.  
27. 29.

the world ; then dividing it thus, *Reserva Tibi Nonas, da Mihi Decimam, &c.* Keep your Nine parts to your selves, give me the Tenth : If you will not give me the Tenth, I will take away your Nine : if you give it, I will multiply your Nine. So that men may assure themselves to thrive well if they tyth well. And that 'tis the best security to our own estate, to be just to God. He that cannot trust God on his Word and Promise, whom can he trust ? Nor can he be other than an Infidel, that promises himself Prosperity, whilst he strives to starve Religion.

'Tis very probable, that the glory and honour which the Kings of the Earth were to bring to the Christian Church, *Rev. 21. 24*, were Riches and Reverence. And so 'tis said of whole Nations to *Rev. 21. 26*. *And they shall bring the glory and honour of the Nations into it.* And in truth want without a power of miracles, will expose the Church to contempt : for it will depress mens spirits, and and cool their zeal. If the Preacher live at the Patron or Parishioners Trencher, he must be civil to their crimes.

A Church must be so refulgent as to awe huffing Atheists, in Scarlet or Buff, from affronting it. *Alexander the Great*, reverences *Jaddus* the High Priest of *Hierusalem*, but not without his *Pontificalia*. *The Poor mans Wisdom* Eccles. 9. 15. will be despised. A dull and blockish Irreverence will assault a poor Divine from a stupid Plough-boy. The common Farmer will loath heavenly Manna out of a Beggars hands. Majesty it self without its Crown and Scepter, its Pomp and State, would soon be slighted, Nor doth any thing hold off the trembling multitude from trampling on the Judge, more than his Trumpet, Robes and Grandeur. So that to impair the Churches Revenue is to attempt its ruine, and must needs draw the heavy vengeance of its Founder after it : Whilst to increase it, is to act for and with God ; and so ensures the blessing to us and our Posterity.

4. Lastly, in a word, all things essentially belonging to the Ministerial calling, admit of Simony : whether Antecedent as Election, when suffrages are bought and sold ; Presentation, in contracting for the Church : Ordina-

Ordination, agreeing its price with the Bishop or his Officers, Institution, or Induction. 2. Or Concomitant, as making Merchandise of the Word and Sacraments. 3. Or consequent, as taking Bribes, to conceal presentable crimes. Or binding men in Church censures, not to reform ill manners; but to be paid for loosing them. Or to pay *Archidiaconal procurations*, that they may not personally visit their Churches, which is declared by *Orthobon* the Legates constitution, *sapere Simoniacam pravitatem*. Nor is any Church far from intentional Symony, That makes Canons, not to direct their peoples practise, but to be dispensed with for their Money. They are well called *Retia*, in the Church of *Rome*: being more profitable than *St. Peter's Nets*: and deserve execution by the Besome of Destruction, rather than to be executed.

3. The means by which Symony is effected, and they are either generally, by Bargaining, or particularly by the things Bargained for.

1. Generally by Bargaining, which in this case is utterly unlawful, because the subject matter is so. It is no more  
lawful

*V. tit. 19. c. De-  
us omni.*

lawful to treat of it, than of the conditions and Rates of Rebellion, Murder, Whoredom, and such like. In which to endeavour to perswade, is to woe a mans consent to evil; and to get him to promise, what is a sin to perform, and consequently 'tis to oblige him to sin. Whereas that work, becomes none better than the Devil: since 'tis but to undertake the office of a Tempter. I the more wonder any tongue can be so base, as to accept the employ. Men must first reckon him a mercenary wretch, whom they send in this Errand. The Casuists reckon them amongst the *Contractus illiciti*; and the Canons condemn the bargaining. *Ames defines Simonie; quocumque modo commutare, rem sacram vel spiritualem, pro temporalis.* He matters not what is exchanged, so it be a bartering of a temporal for a spiritual, and gives a double reason for it; because sacred things are prophaned and polluted, and handled as worldly things: when they are brought into bargaining, and valued by worldly things. 2. Because 'tis unjust to sell; what ought freely to be given. And in truth, the very debates (as means) do partake of the

D nature

nature of, and are desecrated by the end.

But let us hear them treat. The Patrons Agent is fain to Lapwing conscience, while he negotiates; propounding an old Horse to sale: or tacking a crack *Abigail*, at the tail of the Presentation. Or in honest words desiring him to be obliged to be cosened, in part of his Glebes or Tythes: saying, the Patron desires a peaceable Man, that should not be severe with himself or Tenents, and to that end demands a Bond, for Resignation at pleasure, or when his Son or Friend comes to be fit. This halters Horses consciences, without bogling. He can't say, the Patron hath a living to sell: the word Sell would affront conscience, and proclaims an open lie: for the Patron presents a Minister, not a Proctor, to the Church; not Parsonage Barn; to the cure of Souls not of Tythes: and accordingly the Bishop institutes. The Parsonage is but a consequent, provided by charitable Laws, to support him in his Office, and was never in the Patron. For as the Digests affirm, in their barbarous style;

*Nov. 20. 1703.* Sacred things are of Divine Right; and are holden of no Lord. The truth of which, in our Law, will be considered hereafter. The Patron presents to the Church real; rather than Metonymical; that is, to the Christians living in such a Parish, to whom the Archdeacon, by the Bishops mandate, opens a Temple for publick worship.

Can the Agent say, the party treated deserves not the whole profits? this were to affront him: and to shame his Master that made so ill a choice. Doth he say, the Patron deserves a gratuity? but then it must be free, and may be done after, without bargain. Yet the very attempt to bargain, shews the Patron unworthy; by striving to betray his trust, and to daub himself with the defilement of Simony and Sacrilege; and to introduce a Priest by Perjury.

But what can the poor Priest reply to abate these high demands? Is two hundred pound too much, to purchase the Office of Christ's Ambassador? that were to vilifie his Master and Calling. Are not the souls of the people worth half the money? What need is there

then of any Pastor. Is it a mean Office to be Priest of the most high God? and a Saviour of himself, and them that hear him? what then is great? O unfortunate Market! where neither Buyer nor Seller can speak sense.

But you will say, the Minister will transact this part by a friend; true: but this is to defile two consciences instead of one. 2. The Clerick is the more guilty, for doing by another, what his own conscience is ashamed of. 3. And the guilt no less, for *Proximus cujusque est quisque*; he knows well enough, *Qui facit per alium facit per se*. David was not excus'd for *Uriah's* Murder, though slain by the Children of *Ammon*. Nor *Ahab* of *Naboth's* Murder, though he lent not a stone. Nor St. *Paul* of devout *Stephen's* Martyrdom, though he lifted not a finger against him. Nay if done without the Incumbents privily, he is a Simonist in Law; as will appear anon. And an after discovery obliges him to grief: as not called of Christ, who calls none by sin. As a Thief that came over the Wall; as one that hath long lived upon the wages of unrighteousness.



teousness. And is bound to Resignation, as *Henry* the 8<sup>th</sup>, was to separation, if the marriage were incestuous, though not discovered till twenty years after. 'Tis no good Title to a stolen Horse that the Thief gave it to him, though ignorant of the Thievery. Accordingly, the Novel Constitutions outed him.

Ἡ παρῶσα Νεαρά κατὰ Phot. Nom. tit. 1. cap. 24. Schol. διαρίσει, καὶ ἀποβαλλεῖ τὸς κανονικὰς χειροτονημένους, ἢ ἕτερον πρὸς ὄψιμα ἐκκλησιαστικὸν ἐπὶ χρήμασι, λαμβάνοντας.

And the Transfactor (whom the imperial Law, as well as the Canon calls *μισίτω* and *μισοτεύοντα*) &c, and the Latines call *Interventorem*, *Proxen- Ham*, &c. is within the reach of justice too, and punished in double the sum contracted for: τὸ δὲ διπλὸν ἀπαιτηθήσεται; and if he were a Clerick, it was Degradation, but to midwife this impure birth into the Church.

2. Particularly, the things Contracted for. Which are as various, as the subtil Serpents windings; to elude the Laws, and couzen the consciences of men: which never appear long in any one shape. So that the Schoolmen are fain to say, Simony is committed not only by giving Money, *sed*

Calv. Inst. l. 4.  
c. 5. s. 6.

*versatur in iis omnibus, quæ vel pecuniâ aut pretio possunt estimari*, and contains all valuable Conditions in order to a promotion, to any spiritual preferment. Calvin distinguishes them, as many others before and since have done, into *munus a manu*, *munus a linguâ*, and *munus ab obsequio*; which different ages have differently explained.

1. That a *Manu*, intimates money or moneys worth: whether Goods, Cattle, Bonds, Covenants, Leases, or glebes or tythes at half rates, or to debar tythes, in some particular grounds; or to perfect injurious practices, ripening them into Customs: but who can reckon all the strange turnings of this crooked Serpent? It would affright an innocent conscience but to peep into these dark Caverns of iniquity.

2. That a *Linguâ*, is commonly understood to lie in flatteries: but may extend to giving verbal Promises, to offer intimations of willingness, to renounce the Churches known rights or to acknowledge feigned Debts, to be due to the Patron, before such Negotiation. Or to give leave to sell

the

the Timber of the Glebes, &c. but who can account, for the sacrilegious prodigality of the tongue?

3. That *ab obsequio*, when a man shall wait on the Patron *gratis*, or submit to pay some of his debts: or become his Steward, or Bailiff for nothing, or to entertain himself or Servants, as oft as they come thither: or to be Domestic Chaplain: or to teach his children *gratis*. Which is to pervert Gods Minister, from the Altar, to attend the Patrons drugery, And to build up his own house with Gods Revenues.

Having considered the means, let us now view, 1. the greatness of this sin in general. 2. The sad consequences that attend it. 3. The severity of the Laws made against it. 4. That of Bond Simony in particular.

1. We may consider the greatness of this sin; 1. In its original cause, which is Avarice. 'Tis the viperous Spawn of that root of all evil: and therefore is not only equal to, but identical with Idolatry. *Eph. 5. 5.* Since the Selling of God in his gifts for Money; declares we value money above all. The Pharisees thought Gold

## A General Discourse

greater than the Altar; but the Simonist (worse than the vilest Pharisee) thinks it greater than the Temple, and its owner too. Covetous *Midus* turned his food; but this the bread of life into Gold. The Golden Number with them, is much before the Dominical Letter. Both Buyer and Seller concluding, that Money is a valuable consideration, for all things concerning Religion. They would be thought fine Gentlemen, whom God brands with this mark of filthy lucre. What will they answer, when at the Judgment seat, God shall deride them, in the scornful words of the Prophet; *a goodly price that I was prized at of them.* It seems then, *Judas* is not the only man that sells, nor the *Jews* the only men that buy their God. And the great *Iharasius* saith, *Tolerabilior est Macedonii heresis*; that made the Spirit a Slave to God; than the Simonist that makes him the Merchandize of men: for when we sell him as our beast, or our Slaves, we declare him our Slave; and that we have dominion over him. No doubt, these earthly souls, count gain the greatest Godliness; and with King *John*, would sell their

*Zech. II. 13.*

*Dec. I. q. I. eos  
qui, &c.*

their faith, as well as Churches, upon good Consideration. Thus have we restored, the Buyers and Sellers into the Temple, whom Christ whipt out.

*Per nummularias* (saith St. Hierom) are meant, *beneficii ecclesiastici venditores*, Matb. 21. 12. Job. 2. 16.

*qui domum Dei faciunt speluncam latronum.* And Greg. Mag. explains, *Co-* L. 7. ep. 110.

*lumbas vendere, est de Spiritu Sancto, quem sibi Deus per impositionem manuum hominibus tribuit, commodum temporale percipere.* Upon this account, the

Church hath been oft branded, for preferring *Lucratinas artes loco Theologia*, as *Alliaco* notes. And the Ger-

*mans* sadly complain, that their great- In. ep. lib. de commendat. eccles.

est Churches, *ob pecuniam, infimis hominibus conferri*; were confer'd on the dregs of men, for their Muck. And V. 100. Grav. Germ.

the flattering Canonists, to ease the Popes and Cardinals Consciences, in

selling of benefices, cunningly distinguished, between *Simoniaca jure* V. extra. de officii Judicis  
*divino, and jure positivo*; making the Deleg. ex parte N. in glof.

buying and selling Sacraments (a thing seldom done, and of little profit) to be Simony by divine Law: and selling benefices (the greatest, as well as wickedest trade driven in the Church) to be Simony; only by positive

## A General Discourse

sitive Law: *quo laxiores in peccando reddant conscientias*, says one. And another of their own; *In aureo speculo*, crys out, O Peter, Peter, what Troups of Souls hath this superstitious and damned Distinction sent, and yet doth send headlong to hell. It is the occasion (says he) and opens the way to their everlasting damnation. Let greedy Patrons (if they can) shew any one title of divine Right, or humane Law, that favours so vile Oppression. Or else let their Consciences acknowledge, with the fathers: *Avaritiam Simoniam Matrem*, that it hath no other Womb but that of Avarice. And then let them remember that old Verse,

*Si vites mortem vites saligia mortis.*

2. From the villany it discovers; that we have a very slight esteem of God and Religion. What could  
 Gen. 25:33-34. discover the profaneness of Esau's mind, more than to sell his Fathers Blessing and Birthright which carried the Priesthood with it. The Scripture saith, when he had sold it, *Thus Esau despised his Birthright*. And thus was  
 Jeroboam

*Jeroboam* convicted of a false heart towards God, in that he consecrated, whosoever would purchase it, to be a Priest to the Lord; even of the lowest of the people. What is this, but setting our Religion to sale? And what can more evidence, a carnal and worldly mind? such a one is eased of all farther trouble of examining his heart, and may take *St. Peter's* word for it (as a case already judged) that he is in the gall of bitterness, and bond of iniquity. Doth not he deal barbarously with God, that will not let him have a Priest to serve at his Altar; but at so dear a rate? Had these Patrons liv'd in the time of Christ, would they not have attempted to force a Fine from him for his high Priests Office? Is not this making God a Merchant, and retailing his Blessings for Money? Had not *Gehazi* a sordid opinion of God's gift to *Naaman*, that would value it at the rate of a Talent of Silver? How strangely would it look in Christ, had he turned Stones into Bread, and then set up a Bakers shop, and sold Loaves for pence? Or to have turn'd Water into Wine, and then have retail'd it  
by

1 *King.* 13. 33.*Act.* 8. 23.2 *King.* 4. 20.

by Quarts, for Money? Or to cure the Sick, Blind or Lame, and then called for his Fee? Or to catch Fish by miracle, and then furnish the Shambles for Money? By so doing, he had shewed, 'twas Earth not Heaven; 'twas Gold not God that he valued.

*can. si quis episc.  
d. quest.*

*Apol. c. 39.*

*Hoc enim est sub pretio redigere gratiam, quæ vendi non potest.* Says the Canon, to set a rate upon grace that cannot be sold. For as *Tert.* well notes, *Neque enim pretio ulla res Dei constat*, nothing of God is saleable. So that, if the people sinfully pinch on the Parsons side, the Patrons do more profanely pinch on Gods side; yea they sell their own Reputation for honesty, and allow as many as know the contract, the liberty to esteem them sacrilegious Atheists.

*F. de offic. prætor. l. Barba-  
riscolum. 2.*

*l. 1 c. 32.*

3. From the inexcusableness of the Crime; it being much more honest to die for want, than live by robbery and sacrilege. See what pains the fawning Canonists are at, to excuse the Pope, in this wicked practise. *Baldus* holds, he can't be a Simoniack, though he take Money for Benefices; and so says *Bartol.* and *Theodoric* speaking of the schism between *Urban* and *Clement*,



*Clement*, gives the reason. *Quia Simonia excusatur per auctoritatem ejus*; that is, he is supreme, and none can judge him for it: but sure every Patron, swells not to this Papal heighth. The *Summa Angelica* saith, that Simony is *de jure positivo*, and the Pope can't be bound by his own constitutions; but sure the Laws against Simony are not the constitutions of private Patrons. *Felinus* excuses him out of charity; because of the Popes great profit. *Nam cessante tali redditu qui maximus est, sedes apostolica contemneretur.* As if 'twere lawful to live by unlawful means; and cause enough to justify thievery that we are poor: and that actions were then justifiable when profitable, and the greatest Offenders were the least Criminals. 'Tis strangely bold, to rob God to uphold our pomp and train. But the Arch-deacon of *Florence*, argues much better, *Papa est Dominus rerum temporalium*, by his Charter *Tibi dabo claves*; and therefore may do what he will with his own. But will our Patrons pretend to any such Dominion; could all the wits of *Rome* have found any better excuses; the Pope had not wanted

*De offic. judicio  
deleg. ex parte  
N.*

chr. ad an.  
2404.

In AG. 8.

De modo celeb.  
Conc. Tr. 20.

wanted them: yet after all this adoe,  
several of them stand infamed for this  
odious crime. *Langius* charges *Boni-*  
face the 9th with horrid Simonies: and  
*Plutina* many more: *Calvin* cannot  
excuse one in a hundred: and *Marla-*  
*rat* condemns them all: *vix in toto Pa-*  
*pau reperiatur sacerdos, qui non palam sit*  
*simoniacus*: and so says their own glosse  
*Roma est caput avaritia, ideo omnia ibi*  
*venduntur*. And 'twas grown into a  
Proverb; *Omnia Roma vanalia*. Yea,  
so common saith *Darand*, as if it were  
indeed no sin. Infomuch that every  
School boy can tell us.

*Vendit Alexander cruces, altaria,*  
*Christum.*

*Vendere jure potest, emerat illi pri-*  
*us.*

But why do we travel beyond sea,  
to find what too frequently occurs at  
home? Many seeming Protestants,  
having made this piece of Popery  
their own; and reduc'd it into daily  
practise: yet have less to say for it  
than those abroad. Our Laws sup-  
pose the Patron a Defender; 'tis  
strange they should find him a De-  
frauder.

frauder. I wish they find not the Old saying true, *Proditores sunt sui Perditores*, for commonly such Traytors end in tortures if not of body yet of mind: the Worm of sacrilege gnawing on their Liver.

4. From the abhorrency good men in all ages have had of it. Dr. Taylor thinks, there needed no law against Simony; for all men had light enough to detest it without a Law; and holds it sufficiently condemn'd by St. Pauls *ἐπιτάφια*; though not the same crime with *Simon Magnus*, because 'tis like it. But if it be true, that *Magnus* attempted to purchase a part in the Apostles Ministry, as we have prov'd before; and St. Peters answer imports, I see not how the learned Doctor will clear it, from being the same crime; and so justly wears his name and reproach.

The Canon calls it *Crimen Capitale*: *Qui studet. 1.* and the chapter *Sicut 6.* affirms, *nul-*

*lum atrocius peccatum*, no viler sin can be committed. That zealous man *Isidor Pelusiota*, writing to *Leontius*, calls the Simonists *χειροτόνους*, as the

true murderers of Christ: and indeed they break open the door upon him, with their Golden Wedges, and force him

*Dust. Dub. 1. 2.*  
*c. 3. r. 3. n. 4.*

*Lib. I. op. 315.*

In *Matth.* 12.

L. 5. ep. 276.

Dec. 24. 2. q. 1.  
c. quos confite-  
ri.

him to accept their service and violently ravish his Spouse the Church : Or at least force her to marry them or none ; deposing their Saviour beneath the golden calf, and selling him to any *Caiaphas* for Money. How brisk and keen the Fathers are upon this crime, may be seen in *Hierom*, and St. *Augustine* in his 37th Sermon to the Brethren in the desert, in *Isidore Pelusiota* and *Greg. the Great*, every where, but especially in his 4th Book and 50 Ep. to *Virgil* Bishop of *Arles*. So is *Tharastius* Patriarch of *Constantinople*, in his Synodical Epistle to Pope *Adrian* : and *Gelasius* zeal may be seen in his Decretal Epistle, where he determines, *dantem pariter accipientemque damnatio Simonis, quam sacra lectio restituit, involvit*. Neither giver nor taker can be saved ; but are both involved in the same condemnation with *Simon Magus*. And *Echbert* says, they that strive to enter by Money, *a deo maledicuntur* : and if they prevail, 'tis *donum irascentis Dei* : they have it not by the grace, but indignation of God ; *ut tanto damnabiliores fiant*, that they may be more the children of Hell than ever. And when the *Simoniacks*

niacks answer, that they neither buy nor sell spiritual, but temporal things, as Tythes, Glebes, &c. he replies, *Nam quisquis horum alterum vendit* &c. He that sells one thing, without which the other can't be had, sells both, and he that buys, buys both: as he that sells a Mill, sells also the water with it; though it be a daily renewing blessing of God. And thus he affirms, Pope *Paschasius* determined the matter. In a word, to make it the more odious, they appropriated a certain word to it, call'd *αισχροκερδεια* filthy lucre. And the fathers in *Conc. Chal.* pronounces an anathema on such as are guilty: which so affrighted that great Patriarch *Photius's* Conscience, that in his *Scholia* on the *Nomocanons*, he falls to his Prayers saying, *δια τούτο γορυμεν πρός* *δεύ πάντας ἡμᾶς ἐν τῇς τοιαύτης ἐνδύναμι ἀπειλῆς:* adding if God should be pleased to mark their transgressions, who may abide it? yea so bitter was the whole body of Christians against it, that whereas the Canons had disabled many ranks of men from witnessing against the Clergy; as *Jews*, Hereticks, *Infamous*, Stage Players &c. Yet here as in treason, all mankind were al-

*Eikbert adv. Calixtus serm. 10. in Bibl. patr. trum.*

*conc. chal. can. 2. lit. l. c. 24.*

*l. sequenq. 31. d. ult.*

E

lowed

Ep. 27. ad Eu-  
donem.

lowed accusers. Hear *Ivo Carnot. Præ-  
rea secundum consuetudinem* &c. Further-  
more according to the custom of the  
*Roman Church*, they act otherwise a-  
gainst *Simoniacks* and the heresy of  
the *Neophites*, than against other crimes:  
for whereas in other accusations, the  
honesty of the Accusers, and Witnesses  
is considered; to convict these even  
infamous persons are admitted: and  
'tis probable the reason was, that  
none but infamous persons would  
be privy to such infamous actions.

Having viewed the greatness of  
the crime, let us consider,

Annal. ad an.  
1047.

2. Its miserable attendencies. 1. In  
unhappy events. *Baronius* tells us out  
of *Desideratus*, that Pope *Leo* the 9th  
having suspended a Bishop of *France*  
from his Office, a Presbyter with a  
good sum to the Chancellor, procured  
his Absolution: which *Leo* under-  
standing, said to the Presbyter, *The  
Money perish with thee*; at which he  
fell out of his wits; and could never  
do business more. So *Malmsbury* and  
*Math. Westm.* tell us, that *Hen.* 2d  
Emperor, was three days fearfully  
haunted by the Devil, for being guilty  
of this scandalous sin: and *Pet.*

*Damian*

## Of Simony.

31

*Damiani* tells us of a Priest, that could Ep. 15. c. 2. never say the Doxology after his Simony : but seemed choakt at those words: *and to the holy Ghost.* *Gehazi's* leprosy is not unknown to any that have read the Scripture, for taking money for the gift of healing. *Jason* a bold Simonist, purchased the Priesthood of *Antiochus Epiphanes* at the price of 360 talents, and a Pension of 80 talents : but *Mene-* 2 Maccab. 4.8. *laus* outbid him by 300 talents : and got the high Priests office from him : but both came to fearful ends ; for *Jason* was accused before *Aretas* King 2 Maccab. 5.8. of *Arabia* : fled from place to place, pursued of all men, hated as a forsaker of the Law, and had in abomination by his Country, having none to mourn for him, nor any solemn Funerals nor Grave with his Fathers. And *Mene-* *laus* was judged a wicked Wretch, the cause of all mischief, and was put to death by *Antiochus* at *Baraa* pounded, up with Ashes in a Tower rather than a Mortar of fifty Cubits high, not having so much as burial : and that justly (saith the Author) because he had committed many sins about the Altar, 2 Mac. 13.5.8. whose fire and ashes were holy : therefore he received his death in ashes. If

a man escape publick vengeance, yet so many Curses cannot but lie fretting and burning him at heart ; so as to deprive him of his sacrilegious pleasures. As to the Seller his horrid end is scarcely unknown to any man.

2. The Buyer and Seller both come to a very bad Market for both lose.

*Eman. Saapbor  
in v. Simonia.*

The Buyer gets nothing is plain by that known Maxime of the Casuists, *Collatio beneficii Simoniaci nulla est* ; and by the Bull of Pius the 5th, he is *inhabilis ad alia*, incapable of any other Benefice, and that we shall shew is true hereafter by the Canon Law.

*V. confs. 34. de  
sem.*

*Navar* confesses him incapable in Law, but might be capable in conscience, and who doubts that upon true repentance, not otherwise ; but even that would not make him capable in Law any more : so that he is a meer Intruder and plain Usurper both of his Office and Benefice. And accord-

*Ib. v. Tb. Aq. 1.  
c. art. 6. ad 3.  
c. de Sim.*

ingly *qui Simoniaci, beneficium accepit, in foro conscientie tenetur beneficium relinquere*. He is bound in conscience to leave what is Symoniacally gotten. The reason is, the Law forbids any thing to pass by such an Act. And so is the Novel too, as cited by *Joh. Antioch,*

*Nomos.*



*Nomoc. tit. 11. out of 6 Nov. c. 1. v. 9.*  
 And such was the Apostolical Canon,  
 and that *Cahal Con. c. 2.* *ἔἰ οὐ χειροτονούμενος*  
*μὴ δὲν ἐκ τῆς κατ' ἐμπορίας ὠφελεῖται χειροτονίας ἢ προ-*  
*βολῆς.* Let him that is advanced by  
 Merchandizing in holy things gain no-  
 thing by it; but be a stranger to that  
 cure or dignity he hath got by Money.  
 So that the Simonist is no Pastor, hath  
 no title, nor did he ever enter *de jure*  
 but *de facto* only. The Patron also  
 hath lost his presentation for ever by  
 Canon: *pro hac vice*, by the Statute;  
 besides the penalty superadded.

3. Both are excommunicated, so it  
 be real and not mental Simony; to  
 wit, that 'tis not a meer Intention to *Navar. l. c. num.*  
 give but a real performance or obliga- *III.*  
 tion; and that neither party are ig-  
 norant of it: for the rule is, *Simoniacus*  
*realis est ipso jure excommunicatus.* And  
 the Extravagant affirms the same a- *c. 1. cap 2. cap.*  
 gainst the Procurers and Agents, as *52.*  
 well as principal. And indeed as *Hinc-*  
*marus Rhemensis* cites the Apostles Ca-  
 non, *ei qui pecuniâ dignitatis eccle-*  
*siasticæ compotes facti fuerint deponuntur*  
*& consortio fidelium pelluntur.* They  
 that get ecclesiastical preferment by  
 Money, let them be deposed, and ex-

cluded the Communion of the faithful. The words are in *Alexius Aristenus* his Synopsis added at the end, *can. ap. 25 aliis* 29. *κατὰ Σίμωνα ἐπισκοπὴ ἀνοσιώωνται*. *Simonis magi instar in perpetuum excommunicetur.* A Sentence now slighted, but once, yea many ages together, the most tremendous punishment on this side Hell; and the greatest that Christ designed in this world against impenitent sinners. It being *futuri judicii prejudicium* as a Father calls it: and a serious and grave judgment of the wisest and most conscientious men and best Laws; that the Excommunicate is (without repentance) in a state of damnation: which a truly tender conscience would tremble to hear; but Fools make a mock of sin, and of all spiritual judgments that attend it. They fear hanging not damning. A good man would dread being bound in these ecclesiastical chains: or to hear his damnation proclaimed at the mouth of these venerable Canons; whose reverend gray Hairs have been consecrated by the submission of all the Christian world to them.

4. Restitution is on both sides to be made *Facinus quos inquinat aequat.* Lucan. l. 5. One receives the unrighteous Mammon, the other the wages of unrighteousness: both live on what is none of their own. *Et dum junguntur in* cyp. ep. 68. *culpâ sic nec in panâ separantur:* they are united in sinning, and can't be divided in suffering. For as *Gunther* observes, *consensu culpæ meruit consortia panæ*; agreement in sin, calls for agreement in punishment; accordingly the *præmium* on one side, and the profits on the other are to be delivered to some charitable use as Goods unjustly gotten. *Jure divino Simoniaca pecunia re-* L. 2. col. 15. *stituenda est;* say *Soto* and *Covarrun.* Cov. l. c. 2. 6. and many others. This Law of Restitution, is no invention of Schoolmen or Canonists, nor one of the Popish traditions or unwritten verities; but came from the holy Ghost by the Pen of *Moses.* *Lev. 6. 4. He shall restore what he took violently away;* which will refer to Patrons that force Money out of their Presentees, *Or the thing he hath deceitfully gotten.* That relates to both Patron and Presentee, both having agreed to deceive the Law, the Church and Religion too. But

many choose to go to Hell with a full purse, rather than to Heaven with a clear conscience. Hence 'tis so few vomit the surfeits of their Sacrilege; yet 'twas well practised by a true convert in the Gospel; *If I have taken any thing from any man I restore him four-fold.* But more of this anon.

5. The people in Communion are many ways injured by it. For 1. The Patron chooses not the best man for their use; but the richest for his own. If he can but purchase, 'tis no matter whether he can perform his duty or not. If his pockets be but full, 'tis no matter how empty his Scull: for the Patron is to edify his own purse, not his peoples souls; and therefore like Judas will sell though to accursed Caiaphas. Hence the Princes complain they were disposed to such, *Qui ad mulos magis quam ad homines pascendos & regendos essent idonei*; as were fitter to fodder beasts, than feed men. The Cardinals call them *homines imperitissimos, vilissimos, malis moribus præditos*: Indiscreet base, and evil men were brought into Church preferment. They were (as the Emperor Frederick calls them) *Non tam prædicatores quam prædatores,*

non

cent. grav.

conc. delet.  
card. at Pant. 3.

*non orbis Reparatores*, says he to Pope Adrian, *quam auri Corrasores*. And here by William of Wickams leave, 'tis Money not Manners makes the man; but it marrs both Religion and Learning.

2. Hospitality and charity to the Poor must needs be abated : For 'tis morally impossible the wide drains of Simony should leave the Purse as full as it would be otherwise. Nor can a Living maintain both Parson and Patron, as well as it would maintain the Parson only. The fuller the Patrons purse, the emptier the poors belly : and the more he gets the less the Parishioners can expect. So that the Patrons gripe, pinches not only the Parson, but the Parishioners and Poor at once.

3. It makes the Incumbent the more exacting : *Petrus Fullo* purchased the Chair at *Antioch* by bribing *Apollinarius's* faction ; and then used it so ill, that *John* Bishop of *Cyrus* deposed him, and *Zeno* banished him, says the Synodical Book, *Anno 482*. The Palls of *Mentz*, *Coloigne* and *Saltzburg* advanced from 10000 Ducats, to 24000 a piece, make the people grone, who  
are

are always fleac'd to pay it. *James* Archbishop of *Mentz* dying soon after he was preferred, was not troubled at his death, but that his poor Subjects should so soon again be compell'd to pay a grievous exaction for the Pall. Which *Maximilian* the Emperor calls *palliatum Simoni-amactook*, for Simony in his Letters to *Adrian* the 6th. These payments like Excise imposed on Ale by *Frederick* Duke of *Saxony*, made the Sellers *mensuram minuire non absque grandi scandalo & murmure Communitatis*, says *Langius*. And so will these payments give men occasion to abate their care of the peoples safety, and to be very strict for their dues. Coming to it as to a Farm rather than a Church. And as our Statute 21. *Car.* 2, imposing 9 *d.* per Barrel on Ale, indemnified the Sellers as to rate or price. So must the Patron be quiet, and permit his fluxt Presentee to reimburse himself though by very oppressive means. *Plutarch* says, you may not enter some Temples till you have laid down your Gold; because 'twas counted a heinous crime to bring it in: but many in *England* can't

*cbro. ad an.*  
1486.

*Plut. in polit.*  
*preceptis.*

Can't come into the Temples without it : though persons cry,

*In Sancto quid facit aurum?*

What Concord between Christ and *Mercurius*, the Temple and the Market? yet these two things that agree no more, says Dr. Taylor, than Contem-  
plation and a Cart-rope, met in *Jerusalem* : and are no Strangers in *England* but to the publick calamity. For the Patrons great purge makes the Priest bite sharp to supply his empty Bowels.

4. And the Presentee is made by it incapable of his Office ; for how should the people believe a perjur'd man? *Qui culpas debet emendare committit*, says Gregory. He that should correct, commits the faults. How can he condemn indirect ways in others, that practises them himself? Can he press self denial, that hath ventur'd his conscience and credit both for self Interest? Can the Patron reverence him at the Altar, whom he knows forsworn at the Consistory. And how can the people honour him as a Divine, whom they know to be a worldling? What guide will he prove, that  
miss'd

*Lib. 7. ep. 113.*

missed his way at the very entrance? How can he joyn in Communion with them, whilst his conscience is not cleansed by Repentance? And what Repentance can there be without Renunciation and Restitution: but of this more hereafter.

5. His peace and safety depends on the silence of the Patron, Procurer and Agents: which makes him a Slave to wicked and covetous men; so that he dare not rebuke with any authority: greater servitude his Enemies can't wish him. They can blow him away with the breath of their mouth, he stands so tickle. If they confess and amend, he is ruined. 'Tis a kind of treason against God, of which he must fear the discovery: nor can he sleep more soundly than the Thief; that fears some of his Accomplices may betray him. The neck of his Incumbency is in their Halter: and they may snifle him when they please. *Eusebius* Bishop of *Nicomedia* that famous *Arian*, hired a Quean to swear that holy *Eustathius* got the child in her arms: and so got him banished. But after being sick, she confessed what summ the *Arians* gave her  
to



to swear against her : and said, 'twas one *Eustathius Erarius* got the child ; which turned to the ruine of the Con- In Christo Fu-  
bell. tom. 2. trivers. *v. lib. Synodalem*. He is no safer than the unchaste wife, that dares not deny her paramour any thing, for fear he tell : and looks pale (like *Faux* and his Conspirators) lest the truth should come to light. O unhappy Preacher ! that fears light more than darkness.

6. Lastly their Incumbent is all good mens scorn if known ; our Sa- Job. 2. 16. viour never shewed a brisker zeal, than against the Bank and Marketting in the Temple. How sharply doth *Elisba* proceed against his Servant *Gehazi*, for this crime ; clapping the disease of *Naaman* incurably upon him and his seed for ever. The Angel with Numb. 22. 7, 8. a drawn sword resolves *Balaam's* ruine, for going to sell his blessing. St. Peter shews the occasion of his displeasure ; 2 Pet. 2. 15. *that he loved the wages of unrighteousness* : and so we may take that place, Jude. 11. *that the Gnostick Teachers ran after Balaam's error to sell their prophesy and blessings for reward* : by this *Balaam* kindled the wrath of God against him. After Numb. 22. 22. this crime, old *Isaac* would not bless his

his Son *Eſau*, though he fought it with tears: *Heb.* 12. 17. That ſubtil Magician *Hildebrand*, knowing how hateful this ſin was to all good men, blackned *Henry* the 4<sup>th</sup>. Emperor with it; in hope to draw all mens affecti-  
 ons from him. Though 'tis moſt evident, that Prince depoſed *Hereman* the Biſhop of *Babenburgh*; for entring Simoniacally. And he ſat in the Church of *Babenberg*, to preſent to the rich Abbey of *Fulda*, and had great offers for it: but he was aſhamed of them; and called out an humble Monk of *Helvord*, named *Reucelinus*, whom he preferred to that dignity. So again in a great ſtrife of bribes for the *Loriſſan* Abbey; he rejected all, and preſented one that never thought of it: and commended *Severus's* way of rejecting Obtruders, and accepting the moſt modeſt as moſt fitting. But above all inſtances, ſee *St. Peter's* zeal againſt *Magus*, *Pereat tecum Pecunia tua*. When he would have purchaſed the Biſhoprick of *Samarina*, or an Apoſtleſhip (as hath been formerly ſhewed) and as *Urban 2d.* ſeems to believe, in his Decretal Epiſtle to *Lucius* Provost of *St. Juventius*, Anno

*Plat. in vit.*  
*Greg. 7.*

*V. Lamb.*  
*Schaffmaburg.*  
*Chron.*

1099; where he argues that to buy Church livings was Simony: because *Magus* did not desire the holy Ghost of whom he was unworthy, but the power to give it to others, as the Apostles did: upon which in just indignation, the Apostle strooke him, *voce tonitrus* says St. *Bernard*. *Epist.* 237. with that thundring sentence: knowing 'twas the profit of bestowing those gifts he looked after. For he considered how cheerfully fathers would deposite great summs to procure the gifts of Tongues to their children, without the harsh and tedious Padagogy of School-masters. And how ready rich men would be, to purchase wisdom and gifts of prophecy, and to understand all mysteries: if they could be had in a moment; so that they were the *res Ecclesiastica*, the profits of Religion he aimed at; and therefore that is the first notion of Simony. And against it that great Apostle is so hot. What favour the Fathers had for it, hath been shewed in part, and may be easily conjectur'd by the sharp Canons made against it. We will conclude this part with the zeal of that mirror of Learning

ing and all goodness, Dr. *Michael Honywood* late Dean of *Lincoln*: who was wont to protest, he would no more converse with a Simoniackal Clergy man, of what rank so ever, than with a Felon burnt in the hand, or branded on the Forehead.

Yet as hateful as this crime hath been to all good Christians; former ages have not been so happy, as to be free from this accursed practice: no not the hither side of the Primitive times. For *Peter* Patriarch of *Alexandria*, and immediate Successor to the great *Athanasius*, sadly complains of *Lucian* the *Arian*, his Simoniackal invading of that See. That he did it not

ἐπισκόπων ὁρδοδοξῶν συνόδῳ, ἢ ψήφῳ κληρικῶν ἀληθινῶν, ἐκ ἀσκήσεως λαῶν ὡς οἱ τῆς ἐκκλησίας διαγορεύουσιν δεισμοί: but χρευστέ πῶς ἐπισκοπήν ὡς ἀξίωμα κοσμι-

*Theodorit. lib. 4. c. 20.* καὶν ὠνεσάμεν, as *Theodorit* reports it: and 'tis not to be wondred at, if a

usurping Bishop, and monstrous Heretick, enter by Goldsmiths Row, into that famous City of *Alexandria*.

*Isidore Pelusiota* gives *Cyril* the Patriarch an account, of *Martinianus* a

*Isidor. Pelus ep. ad Cyril.* Presbyters robbing the Church of *Pelusium*, for money to buy Votes at *Alexandria*, for his Election: upon which

the

the holy Patriarch threatens him with Excommunication, unless he forbear. It seems, 'twas too commonly practised at *Constantinople* in those early days: for *Evagrius* tells us, that *Chrysaphius* Evagr. l. 2. c. 3 a Commander of *Theodosius* Guards, demanded of *Flavian* Patriarch of *Constantinople*, satisfaction for his advancement to that See. But to shame him for so base a demand: *Flavian* sent him the Communion Plate of the Church. To revenge which indignity, *Chrysaphius* and *Dioscorus* together procured him to be kickt or trode to death, in the *Eutychian* Council.

*Dioscorus* of *Alexandria*, was also promoted by the same Simonist *Chrysaphius*: yet was not fully convicted, so as to be excommunicated for it till after his death; the subtle Merchants having cloaked the Simony, under the dress of some civil power, that he had purchased: *ἡν αὐτῷ διὰ χρημάτων* Evagr. l. 2. c. 4 *πορισάμεν* ©: yet *Eusebius* Bishop of *Dorileum*, so far detected him, in the great Council of *Chalcedon*, that the second Canon was voted (upon that occasion) against Simony.

We read also of an accusation, brought before St. *Chrysostom*, by six

*Asian Bishops*, against *Antoninus Metropolitan* of *Ephesus*; as for other things, so particularly, for taking Money for Ordination. It seems it was so common to buy it, that the Ordained pleaded a custom so to do, and if that they fin'd it was ignorantly. But *St. Chrysostom* degraded them: and *Antonine* being dead, he enabled them to recover on his Heirs, their Money got from them by fraud and Simony. Pope *Simplicius* tells us, of his deposing *Gaudentius Bishop* of *Ausin*, and all ordained by him; being convicted of Simony. And to prevent it, *Justinian* decrees, that the Electors who sign the Instrument of choice, should take an Oath, that they named them not for Money, or promise, or any other thing but the real worth of the Elect. The methods also of Elections, were often alter'd to prevent this insinuating wickedness. Sometimes the Clergy and People chose three, and the Metropolitan and Bishops of that Province pickt out one. Sometimes again the Metropolitan and Bishops propounded three; and the Clergy and People chose out one: as was decreed in the

*Palladius in vita Chrysost.*

*Simplic. epist. 3.*

*Novel 123.*

*Novel 18. Anno 541.*

*Conc. Arelat. 3. Can. 54.*

the Council of *Arles*. <sup>2<sup>o</sup></sup> the Em-  
 peror shut up the great Church doors  
 of *Constantinople*, left a fair Paper on  
 the Altar, gave the Key to an Eunuch,  
 ordered fasting, and Prayers forty <sup>Niceph. l. 16. c.</sup>  
 days; that God would order them a <sup>18.</sup>  
 Bishop. *Placidus* borrow'd Money  
 of the Bankers, bribed the Eunuch,  
 his name is inscribed, and accepted as  
 a Patriarch divinely called: but the  
 Bankers tell where the Money was  
 borrowed, and he rejected.

Thus every age hath applied some  
 remedy, to this growing disease,  
 which is not yet extirpated. *Greg.*  
*Mag.* held a Council at *Rome* to ob-  
 viate it: where it appeared, that mo-  
 ney was taken in the name of Fees  
 to Clerks and Notaries: Therefore <sup>Greg. Decr. in</sup>  
 they decreed that thenceforth no Fee <sup>Conc. Rom. can.</sup>  
 should be given for Clerks labour, In-  
 struments, Paper, Wax, Pall, or any  
 other thing whatsoever. Yet they left  
 it to the Parties discretion, to give  
 some small gratuity, at pleasure.

It would tire a well breathed Reader  
 to repeat all that *Charles* the Great's  
 Capitulars, and later Councils have  
 determined in this matter. I shall  
 only observe, that hitherto, this crime

hath been too hard for humane wisdom : *Auerunt et Deus.*

3. We are now to consider, the severity of the Laws made against it : which we will consider 1. as Canonical, 2. Civil, 3. Statute, and 4. Common Law : we shall begin with the Canon Law.

1. The Canon Law, *Greg. Magn.* observes to *Theodorick* and *Theobert* Kings of *France* ; that Simony was of the Devils plantation : *Et in ipso ortu suo, zelo apostolica ultionis percussa, dam-*

*Greg. l. 7. ep.*  
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*nata est* : that it was blasted by St. Peter's Thunder in its first budding. And from thence the Church held Simony to be a heresy : now we may reasonably guess, they intended not the practise to be so ; but the opinion of its lawfulness, against the Apostles and all succeeding Councils judgment. The Apostles Canon declares (as in *Johannes Antiochenus* collection ; tit. 11.)

*Can. 29.*

*Εἰ τις ἐπίσκοπος ἢ κληρικὸς ἢ διάκονος* &c. If any Bishop, Presbyter or Deacon hath attained his dignity by Money, let him be deposed, and him that ordained him : and let him be altogether cut off from the Church ; or Communion, as the *Latine* version hath it ;

*Alexius*



*Alexius Aristinus* in his Synopsis places it *Can. 25.* and it differs a little in words rather than in sense. The next is the second Canon of the Council of *Chalcedon*; *Εἰ τις ἐπίσκοπος ἢ ἐν χρίματι* &c. If any Bishop shall cause Ordination for Money, and bring unfaleable grace to sale, and ordain a Bishop or Presbyter or Deacon, or any one that is numbred in the Clergy for Money; or shall advance any Steward, Advocate or Mansionary for Money: or any at all of the Canons for his own filthy lucre. He that is convicted to have attempted it; let his own degree be indangered. And he that is Ordained, let him be nothing profited by his Ordination or promotion got by Merchandizing: but let him be without his dignity or cure which he gets by Money. And if any shall appear an Agent in this base and unlawful gain; if he be a Clerk, let him fall from his own degree; but if a Laick or Monk, let him be *Anathema*. There are several other Canons to this purpose made by later Councils; as *Can. 22,* and *23. Conc. 6th,* and *Can. 4, 5, 19.* of the *2d Nicene Council*; and many others reckon'd

*Codex Can. ecclesie universalis habet χάρισμα between Bishop and Presbyter.*

*μυστήριον.*

*Th. I. c. 24.*

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up by Photius in his *Nomocanon*: and *Antiochenus*, not needful here to recite. But by these, 'tis manifest what care the Church of God ever took to suppress this growing mischief.

2. We now come to the Civil Law. The holy Emperors found that the Crozier was insufficient to beat it down, unless their Sword were joyned with it: and therefore *Novel. Const.*

*vide Joh. an-  
tioch. Nomocan.  
iii. 14. τὰ οὐ  
νόμοις καὶ νόμοις  
μα.  
v. Just. Nov. 6.  
c. 123. c. 56.*

130. cap. 19. Decrees, *ἡ ἐκκλησία ἀποκινῶν*

*χρησιστάς τε καὶ δέκοντες ἢ λαμβάνοντας τῆς ἱερᾶς  
σύνης ἐκπύπτοντες*, both giver and taker are deprived of the Priesthood. And *Novel 6. c. 1. 2. 9.* says, the Receiver

shall restore the Money, as well as be outed; and he that gives, shall lose any former preferment he had. And there is an Oath required of the Ordained in order to a detection of the crime. And again. *L. 1. 1. tit. 3.*

*Const. 30, 31*; 'tis decreed that none shall give ought, but the Clergy of the great Church of *Constantinople*; and they that give, are bounded to a single Diary of one year only. And

*x. Phot. Nomocan. iii. 1. c. 5.  
ex l. 3. Basil. iii.  
1. c. 9. πρὸς τὸ  
ἐκείνους ἐκείνους  
ἐκείνους,  
ἐκείνους.*

'tis farther provided, that *τὰ δὲ δέχοντα ἢ ἀποκινῶντα*, all gifts or promises shall be confiscate to the Church for which they were given. But concerning this

this last, the Canonists and Casuists are much divided. For some think if the Receiver repent before sentence juridical; 'tis to be restored to the party from whom he had it. If after, some think it belongs to the Church, others to the Poor; but most think 'tis forfeited to the Pope. *Vide Navar. Convar. Soto &c. in Sa's Aphorismes.* But this Constitution, was left out of the *Basilicks*, and therefore is deemed void: but then *Justin. Novel. 123. cap. 2.* is much the same, and is in *3. lib. Basil. tit. 1. c. 9.* only there 'tis alike dangerous to give Money to any other Person. And further adds, *ἐν τῇ κοινότητι ἐν τῇ λαμπρότητι, ἢ καὶ τῇ συνέσει* τοῦ ἀδελφοῦ καὶ πατρὸς καὶ μητρὸς: so that the Agent or Contriver if a Lay-man, was to pay double the sum received to the Church, or next Successor say some. See also the Collection of *Balsamon, ex lib. 1. cod. tit. 3. Num. 30.* *δὲν δὲν γινώσκον* &c. where 'tis decreed that to give or receive Money to be ordained or chosen a Bishop, shall be deposition, and he shall be branded with perpetual Infamy. So scandalous was this crime in the eyes of all Christian Princes.

*P. Phot. Nomocan. tit. 3. c. 24. Sch.*

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3. Nor doth this practice meet with better usage in this Nation, where the Law is as herce against it, as the practice is for it. The Statute hath drawn its sword against it, and forfeits the benefice so bought and sold, to the King: against both Patron and Incumbent. As appears at large: 31. *Eliz. c. 6.* Where 'tis provided, 'If any Person or Persons, bodies politick or corporate, shall or do, for any Sum of Money, reward, gift, profit or benefit whatsoever, directly or indirectly, present or collate, any person to any Benefice with cure of Souls, dignity, Prebend, or living Ecclesiastical: or give or bestow the same for or in respect of any such corrupt cause or consideration; that then every such Presentation to be utterly void: and every Institution, Admission, Induction, to be of none effect in Law. And that it shall and may be lawful, for the Queen, her Heirs and Successors, to present, bestow, every such Benefice for one turn only. But this is not all; for 'tis farther provided, that every person that shall give or take any Money—or give or take any bond or promise

‘mife.—shall forfeit (for their corrupt  
 ‘dealing) the double value of one  
 ‘years profit, of every such benefice,  
 ‘to the Queen and Informer. And the  
 ‘Person so corruptly taking, or ac-  
 ‘cepting any such benefice; shall  
 ‘thenceforth be adjudged a disabled  
 ‘person in Law, to have or enjoy the  
 ‘same benefice. The like forfeiture  
 is made, if any person give or take a-  
 ny thing above the usual Fees for In-  
 stitution, Installation or Induction. So  
 likewise if any corruptly resign or ex-  
 change any Benefice for any Pen-  
 sion, sum of Money or benefit what-  
 soever. The giver and taker both  
 shall lose the double value of the  
 sum so taken, to the Queen and In-  
 former. ‘And ’tis provided, this  
 ‘Statute shall not extend to restrain,  
 ‘or abate any Ecclesiastical Censures  
 ‘or penalties against this crime: but  
 ‘the same shall remain in force, and  
 ‘may be put in due execution. So  
 that the Statute is but accumulative  
 not derogative to the spiritual power.  
 The three Estates of the Kingdom  
 joyning all their force with the King  
 and Church to pull down this ram-  
 pant Oppression.

There

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There is a farther Clause; that the giver and taker of Money for Ordination, or License to preach or serve a Cure, above the usual Fees, shall forfeit, the Giver 10 *l.* and the Receiver 40 *l.* a piece for so doing; and the Giver be incapable of any Living for seven years after such corrupt purchase. Thus it is in the book of Statutes: why the Abridger should make the penalty 10 *l.* a piece; or Sir *Simon Degge* should willingly say, the Receiver was punished in forty Shillings, is hard to guess. He bid his Parson note, that the Statute is more severe upon the Clergy man than the Officer: for the Officer only forfeits forty Shillings, but the Clergy forfeits ten Pounds; which is irreconcilable with the Statute.

Having shewed the substance of the Statute, we may view the practise as the Lawyers have reported it. They say *Trin. Jac. 8.* all the Justices agreed; That a Presentation is void, if for Money, though the Presentee know nothing of it: and the King may present. If so then, the Presentee is a Simonist in Law not in conscience. And here *Sr's* Caution is necessary, that the Presentation fail not; *Siquis*

*Degg. p. 1. cap.*  
*1. p. 57.*

*Cot. 12. Rep. f.*  
*74.*

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*quo nomine ut beneficium perdes pecuniam dedit pro eo.* For the Report (as Coke sets it down) relating not to them that give to prevent, but to procure you the Living. Others shew that Simony may be committed, neither Patron nor Incumbent being Privy to it: for the forfeiture is made by the Simony, whoever be the Agents in it: as if the Presentees friend bribe a Courtier, and he prevail with his Prince for the preferment. They that desire to know more in this point, may consult *Crokes 1st. part fol. 331, Bawd Crokes Case, Cokes Inst. l. 3. fol. 153.* being an Exposition of this Statute. *Noyes Rep. f. 22. in Pyscals case,* which (besides many other Considerations) are enough to evidence, that our Government is clear in this matter: Nor Church nor State favouring this unhappy practice: yet we may say of the vice as the Historian doth of the *Chaldeans*, they were always banished from *Rome* yet always there.

*Habrep. f. 165.*

But because there is a doubt amongst men, what contracts are lawful, and what not, we will endeavour to give some satisfaction. 1. By shewing what cases are justifiable. 2. What are not.

1. In

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1. In what cases it may be lawful to use Money or Moneys worth: and sure 'tis lawful to give money to purchase our peace, when we meet with litigious men, that pretend a title to our Living but have none. But then the Presentee must have *jus certum & indubitatum* in his own judgment; and he must give (not to make a title) but in *verationis injusta redemptionem*.

*L. 5. de consc.  
c. 42. n. 18.*

This point doth *Amesius* determine: Peace we may buy though not benefices, as well our daily bread. But here let us remember the Casuists Caution, *In istis cavendus est dolus, & species mali fugienda*. And so do *Sa's* Confessors rules determine, in case any *ini- què impediatur electionem vel possessionem*, unjustly hinder his Election or possession.

*Eman. Sa A-  
phor. in v. Sim.  
n. 2.*

2. 'Tis also lawful for the Incumbent to take, and people to give what is judged convenient, for the time he spends, and labour he is at, in ministering to the Congregation: for that is acknowledging his employment, rather than rewarding the desert, which is spiritual and invaluable: rather requiting labour, than paying for Doctrine or Sacraments. And if Ministers



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misters be to ride far, to administer either Sacrament, it would be no Simony to reward the journey: our Saviour having assured us the Labourer is worthy of his Hire. And the Apostle affirms, they that serve at the Altar may live by it. And all Christians *ἐν παντι ἀγα-* poor and rich, are commanded, *Gal. 3. 10.*

6. If they are taught in the word, to communicate to him that teacheth in all his Goods. Labour in study and teaching is no supernatural thing: nor necessarily of a spiritual nature, and therefore may be purchased. Hence too, a Chaplain may take pay for his service, because his time and attendance are valuable.

3. To purchase an Advowson in Fee simple is lawful, when the Church is full: Provided you design not to present your self, nor purchase it to *Hob. 165. Says* present any other Party by name. *Case.*

Not for your self, for that is plain mental and Intentional Simony; and differs nothing from actual Simony; but in meer circumstances, about the manner of presenting, and in respect of time sooner or later. Nor for any *Mores Rep. 877.* Party named or present, for if he be named in the Grant; 'twas adjudged legal

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*P. Freeman,*  
*and English case.*  
*Mich. 3. Jac.*

*P. 1. c. 5.*

*1b.*

legal Simony in *Paliston* and *Winf-  
 combe Case* 14. *Jac.* So 'twas in *Smiths*  
 and *Shelborn's* case, and many others  
 cited by *Mr. Hughes* in his *Parsons*  
*Law*, c. 18. If an Advowson be pur-  
 chased *pro hac vice*, and the Party be  
 merely present when 'tis done, though  
 not named, His Presentation is Simo-  
 niacal at Law: as the Learned and  
 Pious Sir *Simon Degge* affirms in that  
 honest and useful treatise, *The Parsons*  
*Counsellor*. And it seems by *Hutton*  
 'twas judg'd Simony in Law to pur-  
 chase the next Advowson, the Incum-  
 bent being sick as *Degge* informs us  
 from *Sheldon* and *Bretts Case*. We  
 may doubt 'tis *malum in se* to purchase  
 an Advowson, for one turn, under  
 what circumstances soever; and the  
 Law was so as we shall shew hereaf-  
 ter; though practise makes it at pre-  
 sent seem otherwise. For what dif-  
 ference is there to a conscientious man,  
 between buying an Advowson that  
 one may be presented, or a Presentati-  
 on to that end. This is but a Grammar  
 Periphrasis, to express the same thing,  
 and used to avoid the Law, rather than  
 to avoid the sin,

4. 'Tis Lawful to resign a Living *in favorem alterius*; for the kindness we have to any worthy unpreferred Priest. Provided we believe upon best consideration, that he is more likely to profit the People than our selves; and that we make no corrupt bargain, nor reserve no pension; for that would make the Resignation unlawful both in Law and Conscience; as the Canonists generally conclude. And so do our Lawyers and the Statute too.

5. Nor could first fruits and Tenths be excused from Simony; both in Prince and Priest: but as they are reckon'd a legal Contribution, to support the Civil Government: which the Church is to contribute to, as well as the State: seeing they equally share with others in common peace and protection. For otherwise, what right could any man pretend, to what is given to God and his Church. How came the Sovereign to have more Right to it than the Subject? If Tythes be reserved by the Divine Law to spiritual uses; how came Princes or Parliaments to annul it? Can time, Custom or Usurpation, prescribe against God? Kings might reserve  
Rents

Rents or Service, out of Mannors of their own Donation; because they may give as much or as little as they please of their own: but with what conscience can they demand the first Fruits and Tenth, of what is given by a Decree of Heaven? Or by the Testament of other men? Is it meet for them to destroy Property? then Government is useles: for its chief, if not its only end, is to preserve it.

*Lang. in Chro.  
Civitenſi ad an.  
1404. Platin. in  
vit. Bonif. 9.  
Theod. a Niem.  
ſebſc. mate.  
12. c. 7.*

This device was hatch'd in the Conclave of Rome; mutter'd by *John 22d*, but brought forth by *Boniface the 9th*, ſaith *Langius* and *Platina*; about the tenth year of his Popedom. ſays *Theod. a Niem.* And that ſo rigorouſly proſecuted, that he made them pay a years profit, whether they could get the Church or not, before they went to it. And often wiſhed they might never get it.

*Traſt. de penſion  
q. 25. num. 2.*

But yet this charged only Cathedrals, Abbies, Priories and Penſions above twelve Ducats *per annum* in the Popes Books; ſays *Hieron. Gigas*. But this was farther advanc't in after times,

*Marſil. parav. 2.  
pari. def. pacis,  
c. 24.*

as the Parliament of *Paris* Remonſtrates to *Lewis the 11th. añ. 77*. So that

that *Marsilius* of *Padua* makes a sad complaint about it. And the Bishop of *Menda* charges it before the Council of *Vienna* for hæresy and Simony, and urges its Reformation. And *Ni-* *Durant. in tract. de mod. celeb. conc. Gen. pari. 3. tit. 20. cu. san. conc. cath. l. 2. c. 30. Clemang. de ruina & repar. ecclesie.*  
*colas Cusanus* charges it for Sacrilege and Simony, in the Council of *Basil*: and vehemently perswades its Reformation. *Clemangius* saith, they had so far improved the Law in his time; that whatsoever Ecclesiastical Person died or exchanged; the Popes Chamber should receive all the Fruits, for the first year next ensuing. *Gwynnerin* in his gloss on the Pragmatick sanction, calls them the Buyers and Sellers, that Christ cast out of the Temple, for requiring first Fruits and Annates.

*Theodor. a Nihem* says, many great Divines hold it for Heresy, to affirm such payments can be required, or such Laws made without the guilt of mortal sin: and concludes they spring from no other Counsel, but the suggestion of the Devil. *Nihem in notia ad tract. de priv. & jur. imp.*

'Tis certain the Emperors used not these oppressions, when they gave Investitures: for though they oft took the profits of the Temporalities, during the vacancy; and many times by  
 G their

Lib. de l' Egl.  
Gall. c. 16. art. 4.  
V. Trosle can.  
14. Nemaus can.  
5. Tholous. can.  
4. Goldastus.

their Bailiffs, invaded the Goods of the deceased Bishops ; upon a pretence of Regality ; which the Bishop of *Mascon*, in the name of his Dean and Chapter acknowledged the King of *France* might do : though many Councils had condemned it : and many Kings and Princes had renounced that Right. And in particular *Frederick 2d* to Pope *Innoc. 4th.* and our *Edw. 1.* to the Dean and Chapter of *Burdeaux* &c. yet they never required any Rents, after the Incumbent was invested. And if there be any one instance of it, it was esteemed a violent Usurpation. Only Popes have pretended right to it, and thence as the best evidence, these parts have believed it lawful. So easily can the Waters of *Seine*, *Thames* and *Tyber*, mix, when profit perswades: otherwise it had sunk with other Papal tyrannies, over this Church and State, in the reign of *Henry 8th*, who too readily adopted the Papal oppressions, into his own family ; even to the continuing scandalous Impropriations, against the common sense of Mankind ; but the utter ruine of his Name and Family.

Greg. of Haymbourgh a German Lawyer, in the time of the Council of *Basil*, makes sad complaints, how much *Rome* had surcharged Bishopricks and Livings with *Annates* and other Simoniackal Exactions. Great struggling there was in the Council of *Constance* Sess. 40. to have laid these burdens aside: but it could not be done, till the 21 Session of the Council of *Basil*: and there the Fathers condemned all *Annates*; First-fruits, Money for Ordinations; Institutions, Installations &c. forbidding any thing to be exacted in the Court of *Rome*, or elsewhere, for any promotion in the Church whatsoever. And from thence it was received into the Pragmatick Sanction. And an Ordinance at *Orleans*, was made against it: in the second Article of which, all *Annates* &c. are forbidden: but the Capitollian Geese charm all *France* again, so that Jan. 10, 1562, the King recalls the Ordinance, and the great *Leviathan* is let loose, to sport himself in the great Ocean of that Nations treasure.

But for *England*, It represented to Pope *Innocent* the Fourth, the insatiable Covetousness of that See; that it

Greg. Haymb.  
conf. Primat.  
Pap.

60000 Marca-  
rum puri redditus  
Matth. Par. in  
vit. Hen. 3.

*Conc. delect.  
Card. An. 1538.  
quod extat in  
Tom. Conc.*

drain'd more Money yearly from hence, than the Kings whole Revenue amounted to. Yet the exaction is continued; though condemn'd by all sound Divines, for Simony in the Popes. Yea, though the Cardinals themselves, elected to that purpose, assure Pope *Paul* the third, that it was utterly unlawful, after they were sworn, to give him sound and sincere advice. And how weakly 'tis excus'd by the flattering Canonists, that strive to harden mens consciences into Impenitency, by disguising their Guilt, may be seen elsewhere: yet our zealous covetousness swallowed it, without asking any Question for Conscience sake. But so as to declare it a Revenue or Tax, to support the Crown, which though it be very unequal to charge one sort of men, and Lands more than all the rest; and not abating them a Penny, in any other Tax or Subsidy for it; and therefore must needs lie heavy, and be thought a severe dealing towards a Church, that vies Piety and Loyalty, with any other in the world: yet will it not be Simony.



We shall now consider what actions are unlawful ; and 1. Tis unlawful to attempt, to obtain any spiritual promotion by Money, or any other corrupt consideration. This was *Simon Magnus* crime, he shewed *Studioſam voluntatem*, an earnest desire, but failed in his purpose. This the Casuists call mental or intentional Simony. It seems by *Hughes*, the Law lays hold of these attempts : for says he, Simony is so odious in the eye of the Law, that ( the Church being void) if a man seeks for money to be presented : although afterwards the Patron present him *gratis* ; it was Lord chief Baron *Tanfield's* opinion, in his argument, in *Calvin* and *Kitchin's* Case in the Exchequer : that for the Simoniacal attempt only, he is disabled to take the same Benefice. 'Tis the intention *St. Peter* so severely sentenced, charging him, *That his heart was not right in the sight of God.* And again, *repent therefore, if peradventure the thought of thy heart may be forgiven thee.* Yet this thought could make none guilty *in foro humano* without some overt act to discover it. And thus go the Decretals,

*Hughes Pars,  
Law. c. 18.*

*Act. 8. 21.*

L. q. 1.

If he be detected, *quodvis premium obtulisse, ex eodem tempore, noverit se esse anathematis opprobrio condemnatum.* He was anathematized for offering a gift. And Gratian affirms from Greg. Nazian. *Qui studet donum Dei pretio mereri, &c.* If he cast about to do it, 'tis a Capital crime, and Simoniackal heresy. Christ whipt the Buyers and Sellers for offering to sale and cheapening. And Gregory tells Siagrius, *Qui ultro ambit vel importunè se ingerit, est procul dubio repellendus*: for says he, men should not enter the Church *suffragio venditorum*, but *judicio Dei*: not by the Mercenary Votes of Men, but by the judgment of God: which appears only when mens judgments are not corrupted with tentations.

2. 'Tis an unlawful promotion by Simoniackal means, though the Incumbent be not privy to it: no nor Patron neither. For he is (as the Canons distinguish) *Simoniacè promotus*, though he be not *Simoniacus*. In conscience c. 17. Num. 16. he hath no call from God; and in Law, the Benefice is void: yet here as Navar observes, the Incumbent falls not under Excommunication. It was never thought fit, men should be promoted

moted in the Church by sin, though none of their own. Degg shews in a case of *Bath and Potter*, 17 *Jac.* in the King's Bench, that neither Patron nor Incumbent were Privees, yet the Church was void by Simony.

3. To contract with a Father, or any other, for a Living, in consideration of a marriage, as soon as it shall fall void is unlawful. That this is Simony by the Canon is proved before, *Nulli liceat Ecclesiam nomine dotalitatis ad aliquem transferre.* And the Act, 31 *Eliz.* 6. comprises it, in those general words. *If any Person for any profit, directly or indirectly, shall present, &c.* A benefit it is, for it goes in lieu of a Portion in whole or part. And (under favour) 'tis beneath the gravity and learning of a Judge, to say the Covenant is good, if the words (in consideration of a Marriage) be not there: for that were to submit honesty to subtilty: and to make the best Laws a tie to none but Fools, and to trammel Justice with Letters and Syllables. Yea, tis to make Justice punish words rather than things; since the fact will be declared innocent, if it be not ill worded. The Crime is

in truth, that the Patron robs the Church for his Childs portion; and chuses to be sacrilegious rather than his Daughter shall want a Husband. If the Incumbent will appeal to his own conscience, he might as well have paid 200 *l.* for it; unless he be a man of very despicable parts and fortunes.

4. 'Tis unlawful to perswade others to give or promise any Pension or reward to procure a Living. This is the *μεσιτεύω* or *μεσιτης* of the ancient Canons, and Civil Law, that they so heavily anathematize: this is the *κισμυδς* and *μεσος* of *Photius*. And so doth our Law condemn it too; else how came the Incumbent then in the Univerfity and knowing nothing of the bargain to be outed for Simony, which he never medled in, as in *Baker* and *Rogers* Case? And in *Fowler* and *Lapthorn's* Case 17. *Jac.* in the Kings Bench. So that fuch Setters mend not the matter, but make it worfe, and are often instruments of difcovery and witnesses of truth. *Arsenius* the Monk, makes them all as guilty as *Simon Magnus*: not only Presenter and Presentee: but *εὐπεδωτοῖς*

*Nomoc. tit. 1. c.*  
5. *Schol.*

*Gro. Eliz 788.*

*Synopsis Can. c.*  
49.

ἰσοδύναμι μωροδότης τοῖς τοῖς, which he proves by the Apostolical and Chalcedon Canons, though he mistake the 22d for the 2d. And they are likewise condemned by the 6th and 7th Synod, by *Tharastius* Epistle, and *St. Basil's* 85 Canon, and *Gennadius* the Patriarchs Epistle: which is evidence enough of the Churches judgment in this case.

5. 'Tis not lawful to give any Bonds or Covenants, that may hinder the Incumbent, from the full enjoyment of the Church, and all its profits during life. As is plain by all the Canons, but is more particularly declared against in that of *Photius*, where he tells us, not only Money giving is condemned, but

*Nomoc. tit. 1. c.*  
5. Schol.

καὶ πᾶσαν ἀσφάλειαν ἀπὲρ ἧς τε καὶ ὁιονδήποτε τρόπον ἐκτεθεῖται &c. all Securities of what kind soever: all Bonds by Sureties, and all Pledges &c. which are there decreed to be void; which Decrees he takes out of the Canons, and civil Law. And our Canons forbid the Patron to take *aliquod emolumentum pacto interveniente*. And elsewhere, *nullam pactionem inierit*, he shall make no bargain at all. And the Constitutions of *Othobon* the Legate made

*Lind. l. 5. tit. 3. c. nulli liceat. Const. Octob. 1133. c. quia plerumque.* made Anno Domini 1268, *universas promissiones & pactiones penitus revocat* ; all Bonds, Contracts, Bargains, are void of what kind soever, made in consideration of a Presentation. Nor is the Statute much short, that provides, 'If any Person by reason of any Bond—for any Benefit, whatsoever directly shall Present, &c. the Presentation is void. Will not the word *any Bond* contain charitable Bonds ? nor Bonds for Resignation ? 'Tis believed Patrons would not trouble themselves about Bonds for no benefit whatsoever.

Noy. 142.

Hence Justice *Foster* is suspected of too little reason or honesty, that was so earnest in *Baker* and *Mountford's* case, to declare a Bond taken by the Patron from the Presentee to pay 10 *l. per annum* to his Predecessors Son, in the University, whilst unpreferred, a good Bond : though he offered a precedent for it, in the Earl of *Sussex* case ; where he said, a like Bond for payment of 5 *l. per annum*, to his Predecessors Widow, was held lawful: for both are alike unreasonable, as will appear upon these ensuing considerations.

I. That

1. That the Patron hath no right to all, or any part of the profits: and therefore can no more dispose them, than of any other mans estate. The Ordinary hath the profits *tempore vacationis*: the Parson hath the Freehold: and the Fee-simple is *in nubibus, in abeiance, in gremio legis*, says Sir Edw. Cooke. There are some that hold the Fee-simple in the Parson: but none ever thought it in the Patron. You <sup>cap. 23.</sup> may see this point well discussed by Mr. Hughes of Grayes Inn, in his *Parsons Law*: where he gives the reason of the Laws policy, to be, to avoid alienations and disseisins to be made by the Church or any other. And in truth the right of Patronage, is *jus* <sup>cowell in v. Pa-</sup> *presentandi Clericum ad ecclesiam vacan-* <sup>troniam.</sup> *tem ex parte ei concessum: qui consentiente Episcopo, vel instruxit, vel dotavit ecclesiam.* 'Tis a right to present a Clark to a vacant Church, granted to him in part, who (with the Bishops consent) either built or endowed the Church. And much to the same purpose is it described by the Gloss in the *Pro-* <sup>L. 2. iii. 2. cap.</sup> *vinciale vetus*, saying, *Jus Patronatus* <sup>circumscripti a-</sup> *est honorificum jus, onerosum & utile,* <sup>gatiu.</sup> *competens alicui in ecclesia, pro eo quod*  
*Diocesani*

*Diocesani auctoritate illam fundavit, dotavit vel construxit ipse : vel is a quo justam causam habet.* 'Tis an honourable burdensome and useful right in a Church, accruing to any one, for that he founded, endowed or built it, by the authority of the Diocesan ; either himself ; or some other from whom he claims. So that (says the *glosse*) *non respicit oblationes vel decimas*. It relates not to Offerings and Tythes, but would remain if they were taken away. Nor will that which we call an Advowson, give him better right, to convert the profits, to any other use than the Parsons : for *Cook's Instit.* 1. fol. 17. out of *Bracton*, calls it a power to present to a Church in his own name, not in anothers : still it relates to the Church, not to its profits ; which Law and Custom kept out of his fingers. But whoever shall consider the tremendous circumstances, with which the Instruments of Foundation, Endowment or both, were offer'd upon the Altar ; to devest and disseise, themselves and their heirs, of the building Gleaves and profits : and to put all into the right and possession of Almighty God, and his Church, with the dreadful

L. 4. p. 240.



ful Imprecations, upon all that should attempt, to alter, or diminish it; would wonder any after-ages would venture to touch the Anathema, and thereby intitle themselves to their fathers Curses: but of this before: Patrons are Advocates; 'tis strange they should prove Adversaries: *Patroni à patrocínio* not *à latrocínio*. Their duty is to find out a good Shepherd for the flock: not a Simoniack for his Purse.

How early this Right of Patronage came into the Church, may be discover'd by *Justinians* Law contain'd in the Novels: where he provides, That if *Novell. 57. c. 2.* any built a Church and endowed it: he might present a Clark to it: but the Patriarch might refuse to ordain him, if he judged him not fit for the service. And by another Law he provides, as a suppliment to the former, *Novell. 123. c. 18.* That if the Patron nominated an unworthy Person to the Church so built and endowed; the Bishop might both refuse him, and prefer whom he judged worthy: that so Patrons might present worthy men or lose their Right. Both these Laws imply, that the Right accrues from the foundation of the Church:

Church : yet was it never so absolute, but the Bishop had a Negative voice, upon the Patron:

Some think the Peoples rights of Election, were swallowed up by this Advancement of Patrons. But 'tis very plain by all the debates of this matter, that though many things are produced or producible out of Antiquity, about the Peoples Rights in chusing of Bishops ; yet there is no footstep of any such Right to choose Presbyters, or Parochial or Congregational Ministers : which yet is the point in issue, between the Church of *England* and their Adversaries. And 'tis pity it is no more minded by the Litigants on both sides. For whatsoever Canon gives people any Right, gives it in conjunction with the Clergy : but what Clergy are there to choose in a single Congregation ? And if there were, what need they choose another to make a Pastoral Relation ? must there be Pastors upon Pastors *in Infinitum* ? Hath not the Church of *Virginia* authority to send a Pastor among the *Indians*, to feed them with the word and doctrine ; and baptize them upon that command, *Go teach*  
all

*all nations and baptize them* : without the peoples choice ? Will any affirm, he can preach no otherwise than as a gifted Brother among them ? This *New England* fancy, hath hindered the salvation of the *Indians* amongst them : And had the Apostles and Elders believed it, had hindered the salvation of the world.

Men should consider, that in the Primitive times, there were no Parishes to choose ; nor did the People pay the Presbyters but the Bishop. Nor were they so fixt in any place, as not to be moveable at the discretion of the Bishop. *Pallad. in vita Chrys.* *Chrysostom* maintained many Presbyters (whom he sent to preach in *Phanicia*) at his own charge. Nor did the world know any other distinction, but of City and Regionary Presbyters. They were bred up in the Church, from Lectors, Acolytes, Exorcists, Sub-deacons, Deacons, Priests, in all which offices they usually staid some time ; and were advanced at the discretion of the Bishop, without the People. Nor were they permitted to convert any offering, made in the Country, to their own use, but accounted for it at the City Altar.

Nor

Nor do we hear any Complaints of the people, against the usurpations of these Patrons, now newly erected: which we may reasonably believe they would have done, had they found any Law of God broken, or custom of the Church alter'd, or Rights of the People invaded, or Ministers obtruded against the usual practice. These things consider'd, an unprejudiced mind will be satisfied, the people never had nor used any right, in choosing Congregational guides: whatever they might do in Electing Bishops: whom they owned as compleat Pastors, for worship and censures too: and from whom they received their Presbyters, and to whom they made their Offerings.

Nor are the Patrons Antichristian (as some are pleased to call them) whilst they conscientiously manage, their Right of Præsentation: without these sacrilegious practises: but are lovers of their Nation and Religion in building them Synagogues. And might have expected prayers and thanks from any but these murmurers; that defame what they cannot imitate.

A good Author tells us; that some *Dugd. View of our troubles. c. 35. p. 411.*  
in Praise-God Barebones Parliament, Dec. 13, 1653, were earnestly voting down Patrons: but others urged, that this was an attempt to destroy the Subjects Property; and that ended the debate. Our dissenting Brethren so far favour that Anabaptistical fury, in complaining of Patrons invading the peoples Rights, as if they meant to espouse their folly. Questionless Patrons are apprehensive enough, that Dissenters Principles can't take place, but by their ruine; and therefore will keep a watchful Eye upon them. But I return, and am only to dissuade them from the ill use of that Spiritual Trust that is in their hands.

If the Patron will be charitable, he *L. 7. ep. 110.*  
ought also to be just: and not to rob for a Burnt offering. Gregory the Great; hath vehemently lashed this wickedness; telling men they were more laden by their Sacrilege, than eased by their Charity. That 'twas one thing to give Alms to purge our sins: and another to sin that we may give Alms. He says the rule is, *honour Prov. 3. 9;*  
*the Lord with thy substance, not with o-*

H

ther

*ther mens.* Did not Justice *Foster* know, that the sacrifice of the wicked, was an abomination to the Lord. Is not this to rob the Spouse of Christ for an offering to her Husband? to sacrifice the Priest for atoning of the Deity: or like *Judas* to relieve the Poor with our Saviours ointment; O blind hypocrisy, that expects Grapes from Thorns: and to receive good for doing evil.

2. These charitable Bonds, are a very compendious way to starve Religion out of the world. For if the Patron may give 5 *l.* to the Widow, why not 10 *l.* to the Daughter; and 20 *l.* more to the use of the Poor: and as much more to repair High-ways, &c. and require Bonds for all these: And Justice *Foster* declare them good. 'Tis easy to cut large Cantals out of another mans Loaf. And the *Logicians* will tell him, *a quatenus ad omne valet argumentum*; If one be lawful, all of the same kind are. We may presume all honest Lawyers ashamed of the Decision.

3. Should these charitable Bonds be judged good, corrupt Patrons might by this colour avoid all Convictions of Simony. For what is more easy  
than

than to take Bonds in others names, for our own advantage? Can men ever want pretences for Charity? are poor such rare and scarce Commodities? Is it meet for Courts of Judicature to assist such avaricious Earthworms, to baffle the wisdom of the whole Nation at once. And render their just and holy Laws ridiculous? In the Act against Simony; *England* hath shewed its love to Learning and Religion, as well as to Justice and Equity: and is it not sad, if a false hearted Bond, disguised under a cloak of charity, should render all vain? All the wine of Consolation to Learning and Piety, may be drawn out at this one Tap of feigned charity. Should the Lawyers declare the Law in favour of these Bonds, they would but encourage Sacrilege, and help forward these Patrons damnation: and stain the Reverend Scarlet, by sharing in the sin; and suppress the Law to support the Malefactor. But let the Simonist remember, if he escape this Bar, there is another; at which the conscience will tell the whole Story: and then the Sentence will be, *Thy Money perish with thee.* O voice of

Thunder ! but a stony heart can't hear it.

6. 'Tis Simony to give Bonds for Resignation at the Patrons pleasure, though upon pretence of a Son to be preferred when fit. 'Tis true at first blush, this Plea seems reasonable : and found favour 8. *Jac.* in *Jones* and *Lawrences* case, as Sir *Geeorge Crook* reports it. *Crook. p. 2. 248.* And so did another 5 *Car. 1.* in the *Kings Bench*, between *Babington* and *Wood*, reported by the same Author : where was no pretence of a Son. But 'tis said, that in neither of these cases, was any Simoniackal contract averred : otherwise it might have been doubtful : whether the Bonds would have been found good or not, says Sir *Simon Degge*. Nor was it likely the Incumbent should alledge a Simoniackal Contract, for then the Living was void, and himself outed. Yet this Gentleman mentions a case in *Noy* between Clerk and Paschal Trin. 15. *Jac.* in C. B. where the Bond for Resignation at pleasure was sued, and judged Simoniackal : but then the Church is declared void by such judgment, the Incumbent carrying the cause, but losing his Benefice ; and is incapable of

*Crook. Car. 1.*  
130.

*Pars Couns. part.*  
1. c. 5.

*Noy 22.*



of it for ever, though the King should pardon the Simony, and present him afresh.

But to clear this matter, let us consider, 1. That all the Arguments against charitable Bonds conclude as strongly against these : but would be tedious to repeat.

2. That if they should not prove Simony in Law, yet would be so in conscience ; and likewise in the Canon Law : which forbids all contracts whatsoever.

3. Patrons by these Bonds, act a most insolent and arbitrary power : against the Liberties of the Church, and all the Subjects of this Kingdom beside. The Church in *Magna Charta* made at *Westminster*, 10 Feb. Anno 9. Hen. 3. Anno Domini 1224, is the first Subject of Liberty ; in the first Chapter. Where the King granteth to God : and for him and his Heirs confirmeth, That the Church of *England* shall be free, and have all her Rights and Liberties inviolable. One of which was to enter upon her Cures without Compacts and Bargains with Patrons ; as appears by the Canons made at *London* in the reign of *Henry*

Hist. ecclesie  
Angl. l. 4. c. 7.

the 2d, and his Son then crown'd King; and by those of Stephen Langton made but two years before; as also by the Canons of the four first general Councils, which were received in England says Bede long before, and are so still, says the Statute *Eliz. i. cap. 3.* For impose Oaths, Bonds, Contracts upon Justices, Sheriffs, Knights and Burgesles in Parliament, Comtables, Churchwardens, Overseers, more than the Law imposes, would be thought arbitrary and tyrannical Oppression; and can it be less to impose such obligations on the Rectors or Vicars of the Churches? Must they enter the Church as Felons, their tryals with Gives and Fetters? Must they preach to the Patrons as St. Paul to Agrippa in Chains? May not an Angel of the Church be trusted, till bound to his good behaviour? Who ever laid Shackles on any Embassadors but these of Christ? The Shepherd is used like a Dog; the Patron having put a Rope about his Neck to pull him up or out at his pleasure. O vain name of Liberty whose sense is bondage!

4. These Bonds may endanger the Protestant Religion; for if Patrons be

be Popish, how dare men in these Obligations, reprove it, or confirm their people against it? May not Papists have Sons to prefer as well as Protestants? Or have that Sect only no patronages in their hands? The Dog must come over at his call that holds the string, whether into Popeny or Fanaticisme. When King and Parliament can't silence some bastard Teachers; these Patrons can at a word silence the most Orthodox Divine: if any such enter their Bonds.

5. These Bonds include a greater Heresy, then any yet, this fruitful age and Nation hath brought forth. For it presumes the Ministerial calling to be for term of years: that God's people may be leased out to a Governor. That he is but a Hireling and *Curatus pro tempore*, whose own the Sheep are not, but the Sons. That Priests may be laid aside for no cause but the Patrons pleasure, which tends directly to make him careless, to follow the world, and make Hay while the Sun shines. Not to consider the people as his charge, nor to think of living and dying with them; nor of making any account for them.

Nor to plant on the Gleab ; nor to repair the Houses or Chancels : but to grasp what he can, because his time may be short. But seriously, do these men think *Aaron's* Patent was during pleasure ? Was Christ less than a Priest for ever ? Was it not a sad corruption in the *Jewish* Church, when *Annas* and *Caiaphas* were high Priests for years ? Can they think it fit to remove a Minister when he best understands his people ; and bring in an ignorant Novice, because called my son ? Are they fit for the Kingdom of God, that look back when they have put their hand to the Plough ? The Labourers in Christ's Vineyard, came in at several hours, but went out altogether, when the dark covering of death shut up their day. Our Canons forbid any Priests to relinquish their calling, or to use themselves afterwards as Laymen upon pain of Excommunication. *Ames* propounds this Question, *An vocatio ad Ministerium institui possit ad certos annos* ; and answers, *Repugnat planè ministerii nature*, and gives these reasons for it. 1. God hath not allowed it. 2. It abates affection between Priest and People.

*can. 3. Fac.  
can. 76.*

*Ames. l. 4. c. 25.  
n. 32.*

People. 3. It makes the dignity of the calling seem mercenary. 4. Ministers and People may part to both <sup>N. 35.</sup> their prejudice. And again tells us what causes may justify a parting from ones calling. *Si tamen causa talis intercedat quæ vel ineptum aliquem reddat ad ministerium exercendum, vel exercitium ejus impossibile reddit, vel peccandi necessitatem adfert exercenti, tum nutu divino solvi videtur.* 'Tis certain *Athanasius*, *Nazianzen*, *Chrysostom*, &c. were removed from their Churches, but by Persecutors, not Patrons. And many others for Heresy or Schism; but then 'twas by sentence of the Church, or State, or both: but never by single Patrons. They so ruffle all Laws Divine and Humane, that the Lawyers can scarce resolve where the Freehold is, when the Incumbent is a *Farmer at pleasure*. These men make havock of Christ's Institutions, and put Barnacles on the Nose of Religion as they list. They make Priests as summer Insects to be meer Ephemerists. If the Incumbent say with *St. Paul*, *Woe be to me if I preach not the Gospel*: these Gold-suckers tell him, you shall then preach with *Bede* to the Quarries, or  
with

with Orpheus to the Trees ; for we will remove you to make way for our Sons. Thus is Christ's Steward turned out of his House, without leave or privity of the Master.

6. The care to prefer Sons seems natural, but was never judged spiritual. Old Eli was ruin'd for honouring his Sons before God. 1 Sam. 2. 29. And the Decretals treating of Ecclesiastical profits, complain of the ill bestowing them to unfitting persons, *vel quod gravius, est etiam Consanguineis*; as if giving them to Kinsmen were the greatest crime of all. And the rules were, *est honestum officium filiam dotare non tamen ex bonis ecclesiasticis*. And *cognatos jubere ut decenter vivant*: but not to prostitute the Church to them, as Soto Cajetan Bannes &c. affirm. And care was taken in the Election of Bishops, as Balsamon's Collections shew, that they should be *ex decessu & non ex parentibus*, that they should have no Sons or Nephews, lest they should act naturally, and prefer them to the prejudice of Religion. The Law confined Priests to one tribe, but these like the Heathenish superstition, would confine it to one family. As the

16. q. 7.  
peruenit.

Tit. 3. n. 41. ex  
lib. 1. cod.

the *Pindari* only could be Priests of *Hercules*; and the *Eumolpida* of *Athens*, the only Sacrificers to *Ceres*. It seems a kind of disherison, to the Patrons Sons, if Churches be not kept without Pastors, by hirelings, till they be fit. Though they may never live to it, nor receive any internal Call: nor affect the employment; nor be grave or learned enough for it. One would think both Patron and Judges believed Sons put Apprentice to learn the Trade of Priesthood, and would be out of their time at a certain day, and the Churches were but Shops kept open for them to set up in. They may well forgive us, if we think them Atheists that deal thus rudely with Religion. Sir Edward Coke produces an old Epigram by which we may see what kindness the Church hath had for these Kinsmen.

Cokes Inst. 3.  
71. f. 154.

*Quatuor Ecclesias Portis intratur in  
omnes  
Cesaris & Simonis, Sanguinis atque  
Dei.*

*Prima patet Magnis; Nummo patet  
altera; Choris  
Tertia; sed paucis Quarta patere so-  
let.*

By

## A General Discourse

By twice two Gates all Churches enter'd be,

Cæsars, and Simons, Kindred, and Deitie.

Nobles the first; the second Rich men take.

Our Kin the third; the fourth most forsake.

7. This Cloak will serve to cover all Simony whatsoever; for though some have no sons, they may have Daughters, which would make Sons-in-Law; they may have Grand-sons, Nephews, Cousins, &c. and is it in no degree natural to keep open Livings for them? Doth not nature tye us to provide for Relations sooner than Strangers? 'Twas never known the Pope wanted a Nephew for a preferment. One would think Churches were founded not so much to serve God as these Patrons: whose Family must be supported though on the ruines of Religion. But stay, how can men escape the edge of the Statute by these Bonds? since it declares, all Bonds given in consideration of a Presentation, do make that Presentation void; if they are of any profit or benefit whatsoever. Now can any man satisfy his conscience, that



that he which takes the Bond is in no better condition, than if he had none. Do not all men believe, he can make Money of it, if he will? Is there no Market in which such a Bond would sell? Doth not the account of Patron and Incumbent both reckon it at 300 or 400 *l*. Can't the Patron demand 10, or 20 *l*. from the Incumbent every year? and dares he deny him, and so be outed of his usefulness and livelihood together. The weakest eye can look through this thin Cobweb, and much more the strong judgment of the Reverend Bench.

But let us contemplate a while, what dangerous Tools these Bonds are to the Common-wealth. Men marry their Daughters to Incumbents, in hope of a comfortable subsistence. At length these Bonds put forth their horns, and toss the Fathers hopes into the pit of despair. Or peradventure the Patron wants an Oath, which if the Incumbent will not lend him, this close Cur is slipt upon him, and worries him out of a thousand Marks. To have offer'd him Money, had been subornation, though but five pounds but to sue these Bonds,  
find

find favour in the Court. May not the Patron thus force an unpleasant Kinswoman, whom he cannot love, and so ruine two at once? May he not force him to relinquish the justest suit against a Parishioner by trumping up this Bond against him? May he not by these cursed ways, rob any Parish of the most painful and edifying Minister, whom their souls most dearly affect? and tie the Incumbent to destructive Compositions? yea (which is worse) to wink at their Patrons sins; and prostitute the holy Sacraments, to a Soul more unclean than the common Shoars. This poor man must find a 100 £. to buy pins for the Patrons Miss, if he require it. Nay the honest Neighbours that lend the Incumbent Money for necessary use: having an eye to his Parsonage to encourage their credit: if these Bonds prevail, are trapan'd out of their Money. Blessed God! what a *lexus malorum* is here? 'Tis not to be doubted, but a true Patriot will never endure these private Daggers, that serve to murder publick safety.

Lastly, These Bonds are injurious to every man in *England*, besides the Patrons

Patrons : for they, their Sons or Relations, are capable (upon due qualification) to be presented to these Livings : and ought by all Laws divine and humane, to enjoy the whole profits for their lives, that the Laws of the Kingdom, and the charity of well disposed persons have settled upon them. These profits are not the Patrons inheritance, that they should suck profit from them ; but the peoples that can qualify themselves for them. Nor have Patrons Sons any advantage above other people that way ; since a vacant Church must be disposed in six months or lapsed, be their Sons ready or unready. If it be a crime to invade the rights of any one ; much more it is to usurp upon all. So that this practise is not only *ιεραουλία* but *εθνουσουλία* : it robs whole Nations at once. Accordingly, we ought to run to suppress it as a Common fire, that threatens destruction to the whole Neighbourhood, and to treat them that usurp as Beasts of prey.

I have met with one instance of this corrupted practise, older than one hundred years. And that was of *Romanus* a *Patrician*, advanced to the  
 Empire

Empire of *Constantinople*, about the year 923, who (the better to secure the Sovereignty to himself and Family) made his two eldest Sons, *Stephen* and *Constantine Casars*; and resolved to create his younger Son *Theophylact* Patriarch (if possible) of the Royal City. To that end, he was put into the Clergy at Eleven years of age: and was made Patriarch say some at sixteen; he should have been, but that he was a Minor say others; and so could not receive it in that vacancy. Upon which *Romanus* promoted *Tryphon* the Monk, to the Patriarchal Chair; but under Covenants to resign to his Son *Theophylact*, when he should attain the of age twenty five years. At which period *Tryphon* refused to resign, averring the Bonds extorted and unlawful. To judge which, the Emperor called a Synod of Neighbouring Bishops, who were ashamed of the Fact, and would not justify the Contract, nor condemn the Patriarch, for refusing to recede, as a thing horribly scandalous. But admitted an accusation against him, as an illiterate man, and therefore unworthy the Chair. One under pretence of kindness,

*curiopai. Zonar.*

*Niceph.*

ness, went to him, and informed him of the accusation, desiring him to write his Name and Titles upon a Paper, which he would shew the Synod, to the utter confutation of his Adversaries. Which when the poor Patriarch had done, a Resignation of the Patriarchate, was written above his name and deliver'd to the Synod. Upon which, they inaugurated young *Theophylact* into the Chair of *Constantinople*, *Anno Domini* 944. Others I confess say *Tryphon* was but his Substitute till he came to that age. This young Patriarch suited well his entrance; living but twelve years, and that in all kind of Luxury and Riot; minding Dogs and Horses, more than Churches, and the Souls of men. And leaving nothing remarkable, but that (instead of feeding Christs Sheep) he *Cedrentis.* fed 2000 Horses with the profits of his Bishoprick. And better could not be expected, from such an Entrance. He died, 956.

7. As we have shewed it no Simony to purchase an Advowson in Fee; so 'tis as plain Simony to purchase the next Presentation: especially if the Church be empty, or the Incumbent  
 I sick

sick or aged. This is *malum in se*, though haply not *malum prohibitum*. For here 'tis presumed the intention is Simoniacal. And in truth the right of Patronage is not salable at all, if it be a spiritual thing only: but in *England* 'tis accounted by some a meer temporal thing. But by the most and best, 'tis reckon'd partly temporal, and partly spiritual: and so it will prove, for as *Lindwood de jurejurando* well notes, consider it as descendable to heirs, and purchasable in Fee; and so 'tis temporal, but *jus patronatus, & presentatio, dicuntur spiritualia respectu rei ad quam presentatur: quæ spiritualis est*. Consider it as 'tis a presentation to a Church, and to exercise divine offices, and so 'tis spiritual. And all the profits of a Church are spiritual as devoted to God and his Service. And so is the Parson presented too. Accordingly the Canons determine their actions, to be managed *in foro ecclesiastico*; but the custom of *England* is otherwise. Now how much Patrons scrape out of these sales of Advowsons is not easy to imagine. Were the Church their Freehold, they could scarcely make more; and get the cure served.

*V. Glos. l. q. i.  
quod autem.*

*Extra. de judic.  
c. quanto: ubi  
de hoc.*

served. *Horne* in his *Speculum Justitiariorum* tells us, the Advowson of a Church is so much in the spirituality, that there can be no alienation thereof but in Fee-simple. If this were the law under *Edw. 1.* and *Edw. 2.* in whose reign, this Reverend Judge is said to live: how came it to be alter'd? and Contracts, *pro hac vice* now thought lawful. Do the Lawyers change the Law at their pleasure, as Sectaries do Religion? then is both Religion and Law ambulatory, and may both leave the Kingdom at length. We may yet hope a right *English* Parliament, will find time to retrench these Enormities, and new lopp this overgrown Tree of Avarice. In the mean time let Patrons know, that if Law allow it, conscience cannot: for in them 'tis rapine, sacrilege, betraying of trust, living on what is none of their own; and enriching themselves with Church-Revenues. I wish they would hear *St. Ambrose*, *Male quesita mercede non tam patrimonium facultatum: quam thesaurum criminum congregarunt: aeterno supplicio & brevi fructu.* By ill got Goods, we increase our treasure of sins, rather than of Money,

I 2                      having

Cap. 2. f. 27.  
Sub Titulo Com-  
tracti.

Com. in Luc. 4.  
multi leprosi.

31 Eliz. 6.

little benefit, but everlasting punishment. And again in his Book *de dignitate Sacerdotali*, he says *Caro suscepit dignitatem, & anima perdidit honestatem*: they receive Money into their pockets, and lose honesty out of their hearts. Our law doth so detest this avaricious course, that it hath made it punishable but to Elect a Scholar or Fellow &c. into any Colledge for Money: which is a small thing, compared with presenting a Priest to a Church.

4. Having laid down what is Simony in Law and Conscience, as far as we could judge, and occasion offered; we must now consider what respect the Common Law hath for it; by which we shall discover the true old *English* spirit: that disdained avarice and falshood, and scorned to do a contumelious action. The Abridger of our Statutes, says in the Preface; the whole Senate have bestowed at least half their time and industry, in hacking at part of the Branches, Boughs, Sprouts, Roots or Leaves of that monstrous ugly, and hideous Tree *Avaritia*.—Yet it still sprouted again like a *Hydraes* head in another form



form and different shape. But the Common Law, hath had the same bent and design. Simony is odious in the eye of the Common Law, says *Inst. 3. c. 71. f. 153.* Coke its greatest Oracle : where he gives a double instance of it. A Gardein in Socage, may not present to a Living, because he cannot account to the heir for it : as being of no value nor benefit to him. And therefore the Heir shall present, though he be under age. And also if an heir of Tenent *in Capite*, have Livery *cum exitibus*, yet shall the heir not present to an Advowson, because no issues nor profits can be taken thereof. He farther affirms, 'twas the more odious because always accompanied with perjury. Again in another place, he tells us, the Common Law so much detested Simony, that before the Statute of *Westm. the 2d*, no damages could be recover'd upon a *Quare Impedit*, lest (says he), any profit the Patron should take, should favour of Simony. And this seems to me reasonable enough yet still : for if the Patron have costs, why should he have damage of that which never could be profit to him, *Inst. 2. Westm. 2. c. 5. f. 362.* had he had it ; and could be no dimi-

nution of his Revenue, had he lost it: but we must acquiesce in publick judgment. Yet he says, 'tis so with the King still. For he can have no damage upon his *Quare impedit*; because he could not recover any by the Common Law before; and that Statute helps him not, though it do the Subject.

ib. fol. 357.

And the same Author seems very certain, Bonds for resignation could not be sued at Common Law; till the Statute of *Westm* the 2d, for that the Incumbent once instituted and settled, the Patron could have no Writ to remove him, though wrongfully presented; and gives these reasons for it. 1. Because having *Curam animarum* a great charge, he might the more effectually and peaceably attend it. 2. Because he came in by a Judicial Act from the Bishop, to the Church: who is supposed in Law to act *Scrutatis Archivis*. And the form of Institution implies no less: for the *Te instituo ad tale beneficium, & habere curam animarum. Et accipe curam tuam & meam*; Accept thine and my Cure, signifies that the Bishop gives him his own Cure: which also shews what *Cowell* meant by *jus patronatus*

*natus ex parte Concessum*: for the Bishop had still a share in that Right. Now while the Bishop institutes, and the Arch-deacon inducts for life; It would be strange that the Patron should have power to limit him, against both at his pleasure only.

From hence we may see, how much the *English* Conscience, formerly nauseated this rank poyson: which our degenerate age, so greedily devours. Let them never talk of tender consciences, that can so glibly swallow this accursed thing. 'Tis a blessed sight to behold this Nation shining in her integrity; when all others had blackt themselves with this Sacred Villany.

*Photius* that famous Patriarch, saith of the *Greek* Church; whether any Lay-man becomes Procurator of any holy place, or receives any ecclesiastical Ministry: ἡ κληρικὸς γίνεται ἀδοτὶ ἀγνοῶ, and so falls on his Knees for pardon. And for the *German* and *French* Churches, *Gregory* the Great says; in *Galliarum vel Germania partibus, nullus ad sacrum ordinem, sine commodi datione perveniat*. *Lib. 4. ep. 51.*

*Nomoc. tit. 1. c.*  
*24. scb. in fine.*

And for the *Roman* Church, we have observed something of their guilt before: and shall farther note their Si-

In Synag. tra-  
statuum.

Deft. 99. c. 1.  
Novis.

nical Laws. That men must *concor-  
dare cum Camera Apostolicâ*, which is  
flat Simony. *Theodoricus a Niem*; and  
the Decretals say, *Pallium nisi dato  
commodo non dabatur*. No Money no  
Pall, the price must be first agreed.  
They come open mouthed with *Judas*,  
*quid dabitis*? what will you give? Si-  
mony is a great part of the Pope's Re-  
venue. *Humphred* attempts in his *Puri-  
tano-Papismus* against *Campian* to enu-  
merate the several ways. *Nummos  
corradunt pro licentiis*—They scrape  
up Money for Licences, Dispensations,  
Absolutions, Commutations, from  
Fornicators, Whores, *Jews*, ill-pro-  
moted Bigamists, Homicides, Simo-  
niacks: from such as eat Milk-Meats,  
(sc. in fasting days) and from them  
that officiate to the *Greeks* in *Greek*;  
to the *Latines* in *Latine*: so many  
*Processus a Rota*, Reservations, Graces,  
Indulgences, Preventions, Provisions,  
tradings of *Dataries*, Masters of the  
Ceremonies, Porters, Officials, Pro-  
tonotaries, Advocates, Masters of the  
Lead, Keepers of the Iron Gates; of  
the Privy Garden of the Popes and  
Cardinals: that *Benedict* the 12th doth  
jocularly tell us: another world must  
be

be created, to supply all their covetous desires. Bold *Probus* calls them all *Romuleos vultures* : and *Honorius* *Probus episcopus Tullensis in A-vent. Annal. 1380.* 4<sup>th</sup> in particular, a Gold-Sucker. *Rome* once said of *England*, 'twas *puteus inexhaustibilis*; and *England* of *Rome*, they had *Sitim inexplebilem*. These greedy Simonists occasion'd this Distich, nigh 300 years since.

*Intus quis ? Tu quis ? Ego sum. Quid quæris ? Ut intrem.*

*Fers aliquid ? Non. Sta foris. En fero. Quid ? Satis, intra.*

*Knock, Knock ; who's there ? 'tis I. What seek'st ? to enter :*

*Bring'st ought ? No. Stand. I bring. What ? Well : come venture.*

An *Ass* loaden with Gold, may be sure of a *Pall*, at *Rome* : when a *Seraphin* (if poor) returns naked. But for this Church, few or none but *Campian* had ever impudence enough to charge this crime upon her ; till of late, That honour and Religion both were banished out of the heart, into the purse. Till our own blood was dearer to us than our Saviour's, and our Nephews nigher of kin to us than our God. 'Twas gallant

gallant in our *Richard* the 1<sup>st</sup>, that he refused to see the Pope, though in the mouth of *Tyber*, and earnestly desired by *Octavian* then Bishop of *Hostia*, in disdain of his Simony, having taken 700 marks of the Bishop of *Mains*; 1500 Marks for *William* Bishop of *Ely*'s Legantine authority, and infinite of the Archbishop of *Burdeaux* as *Math. Paris* and others note.

I shall now shew to Patron and Incumbent apart, The sad consequences that attend this vile practice, and so draw to a conclusion. We will prefer the Patron and desire him to consider himself, as

1. A hearty Opposer of Learning and Religion, the two best things in the World, and so as a third Conspirator, walks hand in hand with the *Turk* and the Devil. *Gregor. Magnus*, observed long since to *Theodoric* and *Theobert* Kings of *France*: That if we suffer men to get livings by Money, *Non vitam corrigere, non mores componere studeant: sed divitias quibus honor sacer emitur, satagunt congregare.* Men will not strive to commend themselves to preferments, by a good life and correct manners, which prevail nothing but

but to get money which commands all. And so destructive is this course to Learning, that *Marsilius* of *Padua* Defen. pacti. part. 2. c. 20. saith, because covetous men get away their temporal means, the Clergy were generally insufficient: and nigh four hundred of them in his knowledg could not speak *Latine*. Nor is it likely ingenious men, should take much pains to advance themselves to a halter, and to become Patrons Bond-slaves: or their Curates, till their Sons come at age. A younger Brother from the Baudy-house rotten in wickedness is their best Chapman. Or a thick scull'd son of a Farmer, that hath learned to drink in the Country; and to tell the Colledges names in the University; at his Fathers charges receives the next preferment. But this is to debauch both Church and State: to eclypse the true glory of a Nation: and to render serious Piety, the most useles and despicable thing in the world: and to split the Church into infinite Sects. I wish these Patrons In Epist. ad Hospit. would rather take that famous Sorbonist *Claudius Espencans* advice.

Secum

— *Secum ipse diu multumque requi-*  
*rat,*

*Ecquis apud Cives tanto sit dignus ho-*  
*nore?*

*Nec precibus, pretiove locum det; e-*  
*quisque citatis.*

*More sed antiquo lecti proscribat a-*  
*perte*

*Pontificis nomen —*

*Let Patrons long and much inquire,  
Which of the Learned fits the Chaire.  
Nor prefer Letters, price, or speed.  
But publish names of Priests decreed  
To choose them as in ancient meed.*

2. As a Betrayer of the most sacred trust, devouring the Pupil-Church committed to his protection. A thing so base, he is fain to hide it in darkness; as Thieves do robberies; and Cut-throats murders. And so ungentile, that none but sordid Spirits, can be got to transact it, and they are fain when asked, to cover it with a Lie; and blush at the sudden appearance of any Stranger among them. The meanest wretches, think it something disgraceful to be actors in it.

'Tis



'Tis carried on as Whoredome, by signs and half words : rather than openly discoursed ; though between the Parties alone. 'Tis a Bastard that none cares to own. It being no less dishonour to these men, to purloine, than it was glory in their fathers to endow.

3. As an Excluder of the best men, from entring any Church, where he hath to do ; had Patrons been anciently in power, our Saviour himself, and all his Apostles had been excluded : and *Annas* and *Caiaphas* admitted. Men of conscience cannot ; and men of parts, will not stoop to these sinful Conditions. Nor is it (as *Calvin* notes) Calv. Inst. l. 4. c. 5. sect. 6. the benefit of the Church, but of the Presentee ; that these men look after ; as also their own ; *non ut ecclesiis sit prospectum* (says he) *sed iis qui accipiunt* ; and hence (as he goes on) they call it not *Ministerium* but *Beneficium* : not service but benefice, that they present to. Yea, these men would have excluded the whole 630 fathers, in that famous Council of *Chalcedon*, because they were all against Contracts at Entrance, as appears by their 2d Canon. Pious and humble men, refuse  
to

to enter by this Golden Gate, where our Saviour would not. It seldom proves a kind Match, where Joyn-  
tures, and Jewels, are the only way  
of wooing: but extream bad, where  
Money is made the only call, and title  
to affection, between the Priest and  
People. Were St. Peter a Patron, and  
one should offer him Money, his an-  
swer would be, *Thy money perish with  
thee, because thou thinkest the gift of God  
may be purchased with money.* Arnobius  
notes, that the first Christians saw so  
much evil in Trade, they were nigh  
condemning it: but they have suffi-  
ciently condemned this already. How  
base must the house of God look?  
when pious and learned, the only ves-  
sels of Gold and Silver, are all exclu-  
ded? How coarse the Ecclesiastical  
Batch, when all the flowre is bolted  
out, and nothing used but Bran. A  
sad Garden; where the Flowers are  
all cast out, and nothing left but  
Weeds. *Dant veniam Corvis*—Let  
in all the Crows, and exclude the  
Doves. The scandals of the Church,  
lye much at the door of these Patrons;  
who by promoting less fitting men,  
have advanced the Separations. 'Tis

Arnob. l. 2. p.  
mihi 86.

a bold affront to Christ; to let him have no Ambassadors, but men of no Conscience. Had there been more *Macenas's* the Church had had more *Maro's*: but *Homer* himself must be packing, if he have no pay.

4. As the sole Reteiner of this Sin, in the World. God may be eased from this Sin: and Nations freed from the Scourge, that attends, would Patrons give leave. Our Kings, Parliaments, Laws, and all (but one Judges *crooke*. Reports) are against it. The People cry it down. The Sectaries decry Patrons and Patronages (for their avaritious choice and impositions) as Antichristian. The Clergy must needs be against it, both in Conscience and Interest; for what they do in this kind, must be the effect of moral force. If therefore Patrons please, God may have less dishonour; the Church less scandal, the Kingdom less danger, and mens consciences less trouble, by their laying aside this crying sin; and the world will have one species of sin less than it had. If this may not be granted, we may reasonably desire with the *Sicilian* (when *Scipio* the *Prator*, appointed him a fool for his Patron) that

that we may have none at all : but that he would appoint him to his Adversaries. But why may we not prevail with them, to ease God of this trouble? do they not value? nor can never need his favour? Have they no souls to be saved? no Heaven to look after? no Hell to beware? no judgment day to dread? no account to take care of? Is it all one, whether he please or displease? O then we may fear the glingling of the Silver, makes them forget themselves: and as St. Ambrose speaks, *Religiosarum audientiam Scripturarum tinnitus aris excludit*; and drowned the voice of the holy Scriptures, yes, and of their consciences too.

*Ambr. in Luc.  
cam. c. 19.*

5. Let him see his danger to himself and Family. Did not *Gebezi* take Money, and with it a disease to him and his Heirs for ever? St. Ambrose observed upon it, *facta authoris successio damnatur heredis*. The father eat the fowre grapes, and set all his Families teeth on edge. He contracted that curse that eat up all his posterity. Did not *Esau* take Money for his Birthright and blessing, and was made a spurious off-spring of *Isaac* for ever? did

*In Luc. c. 4. &  
multi leprosi &c.*

and very deservedly (says *Greg. Nazi.*) for how should he come by salvation, that had sold his Saviour? Who suffered the lashes of Christ, but the Buyers and Sellers in the Temple? the rest were sent civilly away. Nor can any bring them in, whom Christ whipt out. Nor can they be temples of the holy Ghost, whom Christ ejected.

Every Author can furnish you with instances of the miserable devastations that Sacrilege hath made in the world: and Sacrilege (without doubt) it is, to usurp to your own use, what is appropriate to divine Service: and Simony 'tis as a Merchandise of spiritual things. Sacrilege, as it respects the profits: and Simony, as 'tis a violation of the Spiritual calling. You are not the first that have done it; nor the first that have been ruined by it. *Josephus* tells us *Theodectes* was struck blind for mixing Scriptures with his Tragedies: but what may we expect, that mix God's treasure with our estate? The *Phocians* had ploughed away but a little of God's ground, and were sentenced for it in a good sum, by that general Council

cil of Greece the *Amphictions*, which being refused, they were utterly routed out. Our Fathers devoted our Church-maintenance to God, by their solemn vows at the Altar : *Ananias* and *Saphira* did no more : yet when they withdrew part, nothing but their ruine could expiate the crime, both dying away strangely, *Act.* 5. 1. Your families may grow fat, but not healthful by eating Church Revenues. In ancient time, none desired or attempted any such thing, but indigent wretches, as *Cicero* observes to *Brutus* : *Templis Deorum immortalium imminet hominum egentium & perditorum spes.* And few in our Age are guilty of it, but very griping or very sharking families. And certainly the ways these proud and beggarly men propound for their rise, will prove their ruine, since nothing can be more dangerous, than to build our Houses so near the Flames of the Altar. And foolish to expect God should bless them in, and advance them upon the Ruin of Religion, and Property. 'Twere well, if the Gentry would often read the Collections of that learned and pious Gentleman, Sir *Henry Spelman*, and they

*Cic. Bruto in  
reliquis Attici  
ep. ult.*

*De non tem-  
erandis eccles.*

they would soon discover the lingering poyson men swallow, whilst they greedily devour Church-Morsels. A thousand Families have done it in our times; and a thousand Families have perished by it.

Lastly, Let the Patron consider the Restitution he is bound to make, if he be worth it; or undergoe the punishment of his Iniquity for ever. For the saddest Lamentations, humblest Confessions, deepest Humiliations, sharpest Contritions, loudest Ejulations, and most heavenly supplications, will do no good, while we continue our crimes. Let St. *Aug.* be the Casuist, and he resolves you: *Si* *Ad Macedon. ep. 54.*  
*enim res aliena cum reddi potest, non red-*  
*ditur: non agitur penitentia sed fingi-*  
*tur.* If we restore not what we sin'd in taking, when we can; we do not act repentance, but feign it. *Huic penitendi medicina non omnino prodest,* this medicine of Repentance, neither cures his guilt, nor discharges his punishment. His prayers and tears are abomination to the Lord, because he remains in a State of Simony and injustice. This the Heathens understood as well as Christians: for *Cicero* says, *cic. l. 2. de leg. 2. gibm.*

'twas a chief Law amongst them, *Impius ne audeto placare donis iram deorum: sancte vota reddunto.* Let not a wicked man attempt to pacifie God with gifts; but religiously observe his vows. Thus

Ερν. καὶ ἡμᾶς.  
l. 4.

*Hesiod* directs *ἔρδειν ἱερὰ ἀγνῶς καὶ καθαρῶς* to pay all services to God, chastly and purely cleared from guilt. If the mind be turn'd: the unjust gain must be return'd. Because what defiled us, when we got it, will defile us while we keep it. Every days Deteiner is as every days fresh Robbery. Like a Thorn in the Flesh, it ceases not to ranckle and prick, till it be drawn out. So that we must part with our unjust gain, or our just God, With Spoil or Heaven, for both we cannot hold. We must leave our Gift unoffered, till our Brother be satisfied for his wrongs. The Law is *Ezech. 33. 15. If the wicked restore the Pledge, give again that he hath robbed, walk in the Statutes of life, without committing iniquity, he shall surely live: he shall not die.* And not only things unjustly gotten, but unjustly destroyed, require satisfaction: as a Beast destroyed in a Neighbours pit. *Exod. 21. 33.* Or a stack of Corn set on fire. *Exod. 22. 6.* Or standing Corn. Yea all

Matb. 5. 23.



all things got by plunder, or by cheating, he shall restore again. *Lev. 9.4.5.* and if there were none alive to receive satisfaction, he was bound to recompense it to the Lord. *Numb. 5. 8.* even to the Priest saith the Text; who is the Lord's appointed Receiver. But a Patron in the Casuists judgment, is bound to restore, if he had but permitted others to wrong the Church: for *Restituere tenetur, qui damnum non impedit cum ex officio deberet.* He is bound to restore the damage he hinders not in case he be obliged to defend. Hence 'tis the definition calls Patronage *jus onerosum*: for the Patron is bound to protect. And the word Advowson supposes him an Advocate, as *Lessius* notes: yes (says *A-*  
*quinas*) though he use no fraud to the Owner or the Law. And yet in this  
case is a moral force on the Presentee, and a fraud upon the whole Law. Nor is it any great credit, by Quirks to baffle the design of a righteous Law.

*Navar. l. c. 21.  
& mult. alios.*

*L. 2. c. 7. de.  
22. q. 62. art.  
4.*

Let me upon the whole matter request these corrupt Patrons, in the name of our Lord Jesus Christ, to consider themselves lying on their  
K 3 death.

death-bed, their Souls hovering upon their lips, ready to take its flight into another world : yet afraid to go off, because of the just judgment of God at hand : not knowing how to make Restitution, and less what to answer for the robberies committed on the Church by Simony. To restore, will weaken his Estate, and abate his Childrens portions. Not to restore, leaves him to die impenitent, and to appear at that Tribunal besmeared all over with guilt. He could haply die for his Children; but to be damn'd for them to Eternity, he thinks hard, his Soul shrinks at it : and now counts it a sad bargain, to lose heaven and glory for these trifles. He now wishes he had never known Patronages nor Presentations, Bonds nor Obligations. And at length in desperation, casts down (with *Judas*) the gains of iniquity, crying out, *I have sinned in betraying the Church of God*; and so expires his last breath in flaming discontent. O horrid spectacle ! fit only for Devils to behold, and Furies to attend : fit to draw tears of blood from his Childrens eyes : and groans from his Pastors Loyns, and sorrowful Lamentations,

tions, from all his Acquaintance; as too sad an Evidence of an unhappy bargain in gaining the whole world, and losing his own soul.

2. The next address is to the Presentee; who (I know will tell me as St. Ambrose Bishop did him, in the like case; *Melius est mihi, aurum de sacello invehere, quam tantum sacerdotium perdere: quos amem solidos (si vivo) recepturum me illico non diffido.* I do it unwillingly, but 'tis better for me to draw Gold out of my Purse, than lose so great a Bishoprick. I doubt not but to get my money back again, if I live. But pray consider,

1. You carry about you a very earthy mind, your care will be to gain Shillings not Souls: your mind is more at the Barn than the Church. This is to be that hateful thing to God and man, a secular Priest. This is not to be the Preacher, but Fool of the Gospel: that will rejoyce in his Goods laid up for many days. Satan professed Christ all the Kingdoms of the world which he refused: but you would have taken. Is this to be a Minister of Christ or of Judas? you will bid your people leave the world, that

*Amly. ib.*

*ib.*

you may take it: and advise them to secure Heaven that you may secure Earth. They must set their affections on things above, that you may grasp all below. Thus your Patron may commend you to the people; but your conscience will condemn you to God; and then *Caro dominatur populis* (as the same Father speaks) *anima servit Dæmoni*; your flesh governs the people, and your Spirit is governed by the Devil. You enter Christs harvest, *tanquam ad auream messem*, as if 'twere a harvest of Gold not grace. Your care will be more to serve your Purse, than save your People. 'Tis well if they be rich in faith, but you are resolved to be rich in money, which looks like serving the Bag rather than the Altar. In this Bargain says the same Father, *quod dedit aurum fuit, quod perdidit anima fuit*. He parted with his Gold and lost his Soul; but got nothing: for says he, *aurum dāns perdidisti & gratiam sanctam non acquisivisti*. But why would you enter by sin? could not God find a way for your subsistence without it? *fides famem non formidat*, says St. Hierom; faith fears not hunger, and without faith you can't be saved.

saved. 'Tis lawful to contrive ways of living, but not ways of sinning.

The ancients called it *gratiam spiritus*, the favour of the holy Ghost, by which men are called into the Ministry: and every Minister may write himself *Gratia Dei Pastor M. N.* Hence this great Bishop argues, you ought to give nothing for it: because *Pro eo quod gratis datur, ideo gratia vocitatur.* *Ambr. ib.*

'Tis called grace in regard it comes *gratis*. And 'tis true what he says elsewhere, *non enim pretio taxatur gratia* *Id. in Luc. c. 4.*

*Dei.* Gods grace is not to be rated by money. Will you read the judgment of that pious Bishop *Jer. Tayler* concerning your Entrance. His intentions *Ductor dub. 1.1. c. 2. r. 5. n. 17.*

says he cannot be right, who by any indirect arts doth enter: for that which doth not begin at God cannot be for God. *Non enim ambitione vel pretio, sed probata vita & disciplinarum testimonio, ad honoris & sacerdotis insignia oportet promoveri*, said the Emperor *Theodosius*. He therefore who Simoniacally enters, fixes his Eye and heart upon that which he values, to be worth Money: not on the spiritual employment --- he that comes into the Field with an Elephant cannot be supposed to intend

to hunt a Hare. The true reason why such a one turn'd Priest, was because he could reach no more profitable employment.

2. The Incumbent hath a very tickle hold that thus enters : for (as was suggested before) if any will discover he is both out and undone. In regard the Statute, not only makes the Church void : and so he loses all his charges of Institution, Induction, First-fruits, &c. but amerces him as also the Patron, in the double value of one years profit, of the Living thus enterd. Which 'tis probable may be more than he is worth. For the valuation is not to be according to the Kings Book, but what it can be let for, as Sir *Edward Coke* in his Exposition on the Statute affirms : and so do all other Law-Books that I have seen. Add to this, that the Incumbent is for ever disabled to hold that Living. And by the Canon-Law is incapacitated to obtain any other preferment whatsoever in the Church. These Incumbents are the worst sort of Bandogs : and must be at every conscious Persons whistle. And suppose them compelled in against him as Witnesses, he must bribe deep

deep to make them forswear themselves, for his security. This State is so uneasy, that I knew one to droop and die away with discontent, at the insolency and chargeableness of an Intermedler. May all men consider they purchase slavery rather than preferment; and ruin their worldly as well as heavenly joy by these courses. And the Parishioner may lawfully deny his Tythes, if he can prove the Simony: as it was resolved in Sir *John Howse* and *Wrights* Case in *Easter Term*, 17 *Jac.* so dangerous a thing is it, for such an Incumbent to sue for his profits.

*Hob. 467.  
168. 177.*

3. He is to consider, he hath an Oath to swallow, and his Conscience is very large if he can get it down. The substance of it was decreed in the first Council at *Oxford* under *Stephen Langton*, *Anno Domini* 1222, in these words, *Quod propter presentationem illam, nec promiserit, nec dederit aliquid presentanti; nec aliquam propter hoc inierit pactionem.* That he gave nor promised not only no Money, but nothing at all, nor entred into no Bargain; so that all Bonds and Contracts were to be sworn against as well as Money. But the Oath that is now administered is in the

*A General Discourse*

the 40<sup>th</sup> Canon of those published by the Convocation at *London*, 1. *Jac. Anno Domini* 1603, in these words, *I. M. N.* do swear, that I have made no Simoniackal payment, Contract, or Promise, directly or indirectly, by my self or by any other to my knowledge, or with my consent to any Person or Persons whatsoever; for or concerning the procuring and obtaining of this ecclesiastical dignity, place, preferment office or Living: nor will at any time hereafter, perform, or satisfie, any kind of payment, contract, or promise made by any other, without my knowledge or consent: so help me God through Jesus Christ. And is a Bond for Resignation no Contract? and doth it not carry the force of a promise? And though it name no Money, yet doth it not indirectly imply a Resolution, to content the Patron, in what he shall demand? or be undone. And is there any other reason of these Bonds, but to commit legal Simony? and to perjure without trouble of conscience? This can be no less Simony, than if the Bond had been for Money: sith the Patron might refuse to call for that if he pleased: and so



So may here too. But then, if he do call for it, all the world will conclude, (to use Sir *Simon Degg's* own words) *Degg. p. 1. c. 5.* That the Incumbent must pay what the Patron will demand: or else forfeit the Bond, or lose the Living: and so be undone, and a *Jack* --- out of *Officiperda.* Office. I know nothing therefore, can excuse such a man from perjury, but the mystery of Jesuitisme. The Incumbent should also mind, that the words (Simoniactal payment, Contract or promise) are not strictly to be reduced, to the Statute-sense. For these kind of Oaths, are elder than the Statute by many ages: and the words of Canons, are to be understood canonically and ecclesiastical Convocations, speak in ecclesiastical sense: and therefore they are to be taken largely, for such compacts as the Canons determine to be Symoniactal. And the Canons exclude *aliquam propter hoc pactiorem*; any kind of Contract whatsoever in consideration of a Presentation: so that Bonds for Residence; or for not holding two Livings, might be Simony within the Canon, and consequently within this Oath: though they are good designs, and correspond with  
our

our good Laws, and bind men to nothing but what was their duty before. And yet supposing those Bonds lawful, they will no more justify Bonds for Resignations, than a Bond for good behaviour, can justify a Bond to set the Town on fire: there being no Law nor honesty in Bonds for prophane Resignation, but enough to require our good abearing: which is sufficient to evince, that Sir *Simon Degge* did ill couple Bonds for preferment of a Son; with Bonds to avoid Pluralities, or non-Residence, which were forbidden by the Canon, and the Laws of this Land. However I assure my self, that Patrons which are for Bonds of Resignation, will never be for Bonds against Non-Residence or Pluralities: since Non-Residents and Pluralists are their usual Customers.

4. Such Incumbent may consider himself of little use to the Church in which he is: for we have already shew'd the Patron and all others, that are conscious of his Simony must despise him as a perjur'd wretch. How can he bless (says a Father) that is accursed? or sanctify others that is himself unholy? or communicate Christs body,

body, that is not of his body? So says the Law *Qui sancti non sunt, sancta tractare non possunt.* He cannot reprove their vices, lest they should thereby be provoked to tell the truth, and out the Reprover. And he must be of the Patrons Religion, against the 39 Articles, or any part of them as they require. Nor can he stand for the honour and freedome of any Church, that is thus intangled. But two things render his condition yet worse, 1. He is not in the Church as a Guide or Ruler, for his Presentation, Institution, Induction, are all void. Simony enervates the vertue of all Seals. *Non suscepisti* (saith St. Ambrose) *quia gratuito eam non recepisti.* And again, *Quod dedit pecunia fuit, quod accepit lepra fuit.* He gave Money and received Leprosy: that is, nothing but the guilt of sin. For 'tis a Maxime, *Nulli ex culpâ lucrū*; none may be a gainer by his crimes. In Ordination Leo observes, we get not the Spirit of God, but a Lying Spirit. *Si spiritus veritatis gratis accipitur, proculdubio spiritus mendacii esse convincitur, qui non gratis accipitur.* Nay they are not  
 Priests,

*Dif. 81. c.  
Maximianus.*

*Amb de dig.  
sacerd. c. 5.*

*1. q. 1. gratia.*

Ib. Idem.

Ib. Idem.

Hier. in Mat.  
c. i. v. 11.

Dec. 7. q. 1.  
Sanctum.

Sa aphor. Sim.  
n. 10.

Priests, nor is any thing conveyed : and so says Greg. Mag. *Quicumque studet per dationem sacrum ordinem accipere, sacerdos non est.* And again, *Presbyter, si per pecuniam ecclesiam obtinuerit, non solum ecclesiâ prœvetur, sed etiam sacerdotii honore spoliatur :* so that this Church is void, and he ceases to be a Priest. Nor would they acknowledge his offerings or service to be acceptable or pure. So says St. Hierom, *Panem pollutum offerunt quantum ad se, qui ad altare indignè accedunt ; quique dato manere sacerdotium presumunt.* As to themselves, they offer polluted bread. Thus the Council of Roan ; if any enter *turpis lucri gratiâ dejiciatur a clero & alienus existat a regula.* He is outed as irregular, and his Priestly acts are such *Qua fieri non debent, sed facta valent ;* good to others not to himself.

To conclude, all the Canons and imperial Constitutions go the same way, making all things void, such a Simonist can do : at least as to himself. Hence the Casuists rule, *Collatio beneficii Simoniaca nulla est,* 'tis a meer nullity to present by Simony. We must say of him, as Peter of Simon Magnus,  
Thou

*Thou hast no part, nor lot in this matter,*  
Aet. 8. He is a Usurper of that holy  
office by his Criminal Entry.

2. He stands *ipso facto* Excommu- Navar. l. c. n.  
nicate, both from his Orders, his Li- III.  
ving and the Catholick Church. *In*  
*ecclesiâ Dei eos consortium habere non*  
*posse, qui sancti Spiritus gratiam nundi-*  
*mentur,* saith Ambrose, they can't hold Amb. in Luc. 19.  
Church-Communion that trade with  
the grace of God's Spirit. He that  
gets any Benefice or Ministry, by re-  
ward, *Ex eodem tempore se noverit ana-* Dec. 1. q. 1. Repe-  
*thematis opprobrio condemnatum, atque a* rimur.  
*participatione corporis & sanguinis domini*  
*alienum.* And what comfort can he  
take in his Calling that is thus intang-  
led with Nullities and Curses; and  
prejudiced by his sins?

1. That the Primitive Church made  
no Canons against Patrons, was be-  
cause in that age there was no such  
thing: but Election and Ordination  
brought the Clergy into their Church-  
es, Offices and Profits. And hence the  
Canons militate against Ordainers and  
Ordained, Electors and Elected; but  
the Reason is the same. The Patron  
being the sole Elector, and shares with  
the Bishop in filling the Church; and

E

here

here money qualifies for the Ministry, the spiritual Office is purchased, and the grace of God is bought and sold, as then.

*Ambr. de dig.  
Sacerd. c. 5.*

*Dec. 1. q. 7. p. 1.  
ter.*

*Ep. Synod.*

5. Since Christians are not Stoicks, to think all sin equal; the Incumbent will do well to consider, in what rank, the most pious Christians placed Simony. St. *Ambrose* calls it *mortale vitiositatis virus*, the deadly poison of viciousness. Pope *Paschal* calls them *primos & precipuos hereticos, ab omnibus fidelibus respuendos*; the first and chiefest hereticks, to be rejected by all the faithful -- again all crimes compared to Simoniackal heresy, *quasi pro nihilo reputantur*, are accounted nothing. *Tharasis* said the *Macedonian* heresy was more tolerable: for that made the holy Ghost Gods servant, but this makes him mans Slave, or his Beast to be bought or sold at his pleasure. Yea, he thinks it equal to the sin against the holy Ghost. *Aequaliter peccantes his qui blasphemaverint, dicentes; Christum in Beelzebub ejicere demonia*; and adds, that 'tis like the crime of the Traytor *Judas*, that sold his Christ to the Jews, his Murderers. *Perpetua mulctatur damnatione* says *Gregory*, and *Nazi.* says (as *Gratian*

## Of Simony.

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Gratian recites him) *Nam Spiritus sancti donum pretio comparari, quid aliud est quam Capitale crimen?* And St. Ambrose again, *Illum constat execrabile Christo perpetrasse flagitium*, 'tis a wickedness execrable to Christ. And hence again those pious men in the Council of *Meaux* in most fervent manner cry out, *Cavendum est, & summo opere studendum* &c. We must beware and endeavour by all might and main. And by the merits of Christs blood must forbid, to all Bishops and Kings, and all higher powers, and all Cherishers, Electors, Consenters and Ordainers to any Ecclesiastical dignity; that none may attain any place by Simoniackal heresy, by himself or any Promoter, with any Service, Craft, Promise, Commodity or Gift whatsoever. By which we may see the zeal of godly men, to extirminate that crime, we contrive to bring in. 'Tis perverseness in our judgments, if we reckon that a small thing, which they esteemed heavier than a Millstone, and St. Peter so severely condemned, and for a taste of our own Church, she hath clos'd with the Primitive in her resentments of it; for she calls it, the detestable Sin of Si-

L 2

mony;

*Grat. I. q. 7.  
Et max.*

Can. 1. Fac.  
1603. can. 40.

mony ; and says buying and selling Spiritual and Ecclesiastical Functions, Offices, Promotions, Dignities and Livings, is execrable before God ; I am afraid, he will prove a Bastard Son, that thinks otherwise. Nor is there any Sect, that espouses the Simoniackal cause among the many bad causes owned in the world.

6 This Incumbent's condition is very miserable in the world ; for 1. He is under a very ill name. 'Tis his duty to endeavour a good report of those that are without, but he hath a bad one amongst those that are within. If Solomon be right, that *a good name is better than great Riches* ; he makes a bad bargain, that parts with his Money for a bad one. *Crudelis est qui famam negligit*, saith St. Aug. but what is he that *famam destruit* ? ruins his good name ? To have a good Conscience is most necessary to his salvation, but to have a good name is most necessary to his vocation. 'Tis no good Character of a Divine, to be reputed shameless. *Contemptu fame contemnuntur & virtutes*, (says one) Fame can't be despised but virtue is cast off with it, and  
by



by so doing, men fit themselves for farther villanies.

*Liberius peccant, cum pudor omnis  
abest.*

A blushful countenance is a kind of trash to an over fleet Villain. A grave Philosopher assures us, "Αγαυὸν διαφθαρμένον τὴν ψυχὴν ἡγ' &c. they have very impure souls that desire to be much spoken of for their great wickedness, rather than

μὴδὲν κακὸν πράσσοντες ἀγνοεῖναι, than abstaining from evil to live obscurely.

He must expect to be esteemed of no reputation, that hath no other instruction for the Ministry, but a Bag of Money under his arm. 2. His Bonds given (as his best qualification) are

suable at Law; so that he must quit his Living, compound with his Patron, or pay it with charges. This

was adjudged says Coke in the Common pleas *Pasche Eliz. 40. rot. 1745*, in Gregory and Oldbury's case. The Statute made nine years before, doth not vacate the Bond unless he plead a Simoniackal Contract; which is a very husbandly way to vacate the Living; but doubtful whether it would void the Bond at

last.

last. 3. It will blast his fortunes in marriage, for who will bestow any thing better than an *Abigail*, on him that is but Tenent by curtesie; and is blown away by one breath of the Patrons mouth out of all he hath. If the Incumbent conceals it when askt, he cheats the Father-in-Law; if he confess it, the bargain is broken. Nor is his credit better, for who will lend him any considerable sum (how importunate soever his necessities be) that knows him indebted in a thousand Marks, or out of his Living? So that this kind of Simony is a *πρωτό-σπια* utter undoing. Is his Purse so big as to talk of a Purchase? but first (says the Patron) let him discharge my Bond: and the fuller he is thought to be, the greater is the Demand; so that he hath the pains, and the Patron the profit of his good husbandry. And who will marry such an Incumbents Daughter, whose Father may soon appear scandalous and so shame him; and out of all, and so lye upon him? Our gentle Mother *Academia* blushes to see her Sons so bad Logicians, as not to find this fallacy, or distinguish themselves out of these Bonds.

But

But is it not better to have a Li-obj.  
ving in this manner, than none at  
all?

'Tis better be idle than rob or steal, *Sol.*  
and to follow no trade than a sinful  
one; but much better with *Marlorat*  
to work with a Spade in a Town-  
Ditch than either. 2. 'Tis better to  
provide for the publick safety of the  
Church of Christ than our own. Christ  
left Heaven to do it service, and why  
can't we a Living? All refusing these  
Simoniack Contracts, the Condition  
of all is better'd by it. 3. You will lose  
nothing by it, but appear the more  
conscientious and fitting man for the  
Ministry. 4. The Money paid to enter  
by sin, would maintain you till an en-  
trance be offer'd without sin. 5. 'Tis  
better to have a bad Living with a good  
conscience, than a good Living with a  
bad one. 'Tis more reasonable to be-  
lieve the Lord hath no need of us, than  
to intrude without a call. *Greg. Mag. Dec. de Sim. l.*  
*tells Siagrius, Is qui invitatus renuet, q. 6.*  
*quasitus refugit; sacris altaribus est ad-*  
*movendus: Qui ultro ambit, vel impor-*  
*tune se ingerit, est proculdubio repellendus,*  
This was the Primitive modesty, some  
feigning themselves Fools, some deny-  
L 4 ing

*Hist. eccl. l. 7.  
c. 7.*

*Æn. Sylv. ep.  
25.  
Cyp. 10. 1. ep. 52.*

*Socrat. hist. 1.  
2. c. 6.*

*Pontius in vit.  
Cyp.*

ing themselves to be Christians. Others refusing to be baptized. Others hiding themselves to avoid their Elections. *Greg. Nazianzen* after he was chosen Patriarch of *Constantinople* (equal then to the best preterment in the world) by an Oecumenical Council; observing some few *Egyptian* Bishops against him, refused the Patriarchate (as *Sozomen* and many others affirm.) *Prisci viri sanctique homines difficilins ad Pontificatum vocabantur, quam nunc ex alio amoventur*, says *Aeneas Sylvius*. And Holy *Cyprian* assures us, *Cornelius vim passus est, ut episcopatum coactus exciperet*, *Cornelius* was forced into the Popedom by plain violence. *Eusebius Emissemus* that great light of the Church, was earnestly solicited to accept the Patriarchate of *Alexandria*, by the Synod of *Antioch*; or at least by *Eusebius* Patriarch of *Constantinople*; but he refused it: as he had fled before to *Alexandria* from *Antioch* to avoid that Patriarchal See. *Pontius* shews with what unwillingness holy *Cyprian* was call'd forth to the Primacy of *Carthage*. *Synesius* that acute Divine and Philosopher, declared in a Letter to his Brother, that he believed not the

the Resurrection, on purpose to avoid the Bishoprick of *Cyrene*, which yet could not defend him. *Evagrius* however took him at his word, and hath left him on Record as an Infidel to the Resurrection, *ὃν δὲ ἀζάν ἐδέχοντα*: being *Evagrius l. 1. c. 15.* (in his opinion) not so much as willing to seem to believe it. So *Eusebius Pamphili*, urged by the Common shout of the City of *Antioch*, and solicited by *Constantine's* Letters, upon the request of the Synod at *Antioch*: yet constantly refused the Patriarchal See. The Emperor hearing him alledge, that it was against the Decree of the Fathers to remove from a less to a greater or other Diocess, commended his self-denial; *ὡς ἑ μιᾶς πόλεως, ἀλλὰ πῶς τῆς αἰκυμένους ὄντα ἀξίον ἐπισκοπεῖν*. *Sozom. l. 2. c. 18.* *Nyssen* gives us a fair account of that man of wonders *Gregorius Thaumaturgus*, his flight into the Wilderness to escape the Chair of *Neo-Cæsarea*; yet at length was strangely brought back to it by the prayers and contrivance of *Phedimus*. So *Gregory the great*, after he was chosen by the Clergy and People of *Rome* to the Papal dignity, wrote earnestly to *Mauricius* then Emperor to refuse his Confirmation, of what the Electors had done,

done, that he might escape so weighty a charge; as *Gregory Turonensis* and *Joh. Diaconus* report it.

*Epiph. ep. ad  
Joh. Hieros.*

*col. l. i. tit. 3.  
de epis. & cler.  
c. 31.*

The Rule then was *Quaratur Cogens*; for as *Epiphanius* tells *John* Bishop of *Jerusalem*, his Neighbour Bishops oft caught, ordained, and restored several Presbyters that fled from him, to escape holy Orders. And this was the Imperial Decree, that whoever was ambitious of holy Orders, should not be received. This Sentence executed, would abate the number of Simonists, and make a thin Church amongst Conformists and Non-conformists too: however, it may serve to raise a shameful blush on the face of such as purchase their way of Entry. 6. The world will conclude, there is no merit where the entrance is attempted by Money. 7. By such a Preferment you are more intangled than advanced; and in a year or two (when the Patrons will and pleasure is) may be as far to seek as ever. 8. By the Canons of the Church, Simoniackal Entrance makes you incapable of any Ecclesiastical promotion for ever. *Pius* the 5th his Bull speaks not so much, the sense of the *Roman* as the *Catholick* Church.

The

The Canons, Civil Law, and Decretals, all affirming depolition. *Cum omni fiducia clamo, Qui per Simoniam ordinatus est, alienus est a sacerdotio*: adding this reason, *neque enim venalis est gratia spiritus*: you get no more than *Simon Magus* by it, who was extirminated for ever. *Perpetua mulctetur damnatione*, says *Greg.* And because Simony vacates all Seals, and conveys no right, the Casuists affirm you are bound in conscience to resign whatever is so gotten, and to make Restitution of what profits you have received. If you think these Canons void in Law, yet they are not in Conscience: nor in Law neither, as it seems by the Statute made 25 *Hen. 8. c. 19.* which affirms all Canons not contrariant, nor repugnant to the Laws, Statutes and Customs of the Realm; nor to the damage or hurt of the King's Prerogative Royal, shall be now still executed. This is the Statute of the submission of the Clergy, and was the rule they were to walk by. Nor is the matter altered in this Statute of Simony, 31 *Eliz. 6.* for the fourth Paragraph provides, that the Act should not restrain any censures Ecclesiastical, but that the Ordinary

1. q. 7. Si quis  
omnem.

1. q. 2. Si quis  
dator.

Parsons Coun.  
p. 2. c. 5.

Ordinary might execute them; as before the making of the said Act, upon which *Degge* delivers his opinion, that corrupt Patrons, who take Bonds for Resignation, without any reasonable cause apparent, may be called to account before the Ordinary, &c. and censured if occasion be: and doubtless so may the Incumbent too. Some say the Statute of 25 *Hen. 8. c. 19*, is expired as temporary; and indeed so it was designed, provided a body of Canons had been pickt out of the ancient Councils, to have been ratified by some subsequent act, but that was not done, and probably never will; and therefore (under correction) we may say, it is in force still.

Lastly, such an Incumbent ought to consider, he is self-called, and not called of God. Christ the first Priest of the Christian Church, would not stir till his father had sent him. Nor did any Apostle enter the office but as Christ sent them. *John 20. 21. As my Father sent me, so send I you.* Nor is there any in that office that taketh this honour to himself, but he that is called of God, as *Aaron* was; *Heb. 5. 4.* He that acts without a warrant, will not



not be born out in what he doth. To engage without command hath received punishment, in successful fights. If we will act without Commission, we must do it without comfort too, expecting (as well we may) to hear that reproachful *Nippe*, who required these things at thy hand? We forge the Broad Seal of Heaven, if we enter upon our Saviour's Embassy without his Order. The Church is bid to *pray the Lord of the Harvest, to send forth able Labourers into his Harvest. Matth. 9. 38.* And how can we expect wages except he sets us on work? But these hire themselves, and bear witness to themselves of their own worth; artificial Pastors made by their own contrivance. Like Bastards they are Sons of their own fortunes; true *Terra filii* that no body else will father. And thus to enter (says *Amesius*) is *cas. Confe. l. 4. plane Diabolicum*, a meer promotion of *c. 25. n. 20.* the Devil; for (as he adds) *officium curæ animarum est spirituale Dei donum-- & proinde idem in genere & ex natura rei est, illud officium emere; cum eo quod fecit Simon, Act. 8.* 'Tis not *ib. n. 21.* doubted, but the right of calling is principally in Christ, but by way of Dele-

Delegation in the Bishop, acting in the behalf of Christ by virtue of the Commission granted to him, *Joh. 20. 21.* and in the Patron to whom the people must be supposed, to have delegated their power of electing, or rather consenting; which (when the dust of contention that blinds mens eyes is laid) will appear as lawful as any Churches can elect Representatives to appear for them in Synods: but then to purchase this delegated consent of the Patron, is the fowlest of all corruptions. We then enter *injusti & non vocati*, and therefore *ipso diaboli nuntios efficaciter convinci posse*; says *Hunnius* from *Luther*, and shew our selves to be the Devils Messengers. *Luther* tells us himself, he that hears one uncalled, doth hear *Diabolum corporaliter loquentem*, a Devil incarnate preaching. This Simoniack Call, is from *Pluto* the God of Hell and Wealth; and his Ambassadors they are. Hear how honest *Stella* derides them, on those words, *Quem constituit dominus super familiam. O quanti sunt Praelati* (says he) *quos non constituit dominus; sed ipsi se constituerunt suâ ambitione, favoribus aut pecuniis*; and thinks God

46. p. 227.

In Luc. 12. 42.

God permits them only for the peoples sins, as a plague and curse to their Congregations. Then (says he) thou art called of God, *Quando sine Tuâ sollicitâ diligentia, dignitas Tibi offertur*; and wonders any would be so bold as to purchase, what *Moses*, *Jeremiah* and *Isaiah* refused and bewailed, and *Jonah* fled from. A man may satisfy his conscience that he is called of God, when his own strong and constant inclinations shall lead him to the Ministry: and his Friends not only consent but devote him that way, and his own abilities are not only sufficient, but are better for that way than any other. And then that he be invited in by some Church or Patron, which is a Churches Representative, and approved, ordained and instituted by the Bishop, whom Christ Commissioned to that purpose. But (says *Stella*) the Church ever pronounced him unworthy that thought himself worthy.

Let us now conclude with this hearty Obtestation, to both Patrons and Presentees; to remember, that self-denial is a Gospel grace, self-seeking is a Gospel disgrace: by the first we can do no hurt, by the second we seldom

Exod. 4. 13.

Jer. 1. 6.

Is. 6. 5.

Jon. 1.

dom do good. In this danger *Alcibiades* will tell you, 'tis better *φύγειν ἢ ἀμφοτέρω* to fly the danger, than escape at Tryal. A good conscience cannot easily close with suspected wickedness, but much less when 'tis detected. I know your hearts are hardened by the deceitfulness of sin, and you are hired by your profit to turn a deaf ear; yet I would be loath to make my Addressee to you, as the *Cynick* did to a dead Statue, only to learn to bear a Repulse. I think I may confidently say, if this Doctrine be hid, 'tis hid to them that perish; whom the God of this world hath blinded. If therefore you desire to escape the Crime and Curse of *Magnus*, if you have any regard to the honour of God, any care for the Edification of the Church, any desire for the safety and glory of your Countrey, any pity for your own souls, any tenderness for your families, any aim at your own peace within, or at a good name from abroad, if you have any love for Learning, or Reward for virtue, or kindness for Modesty, abhor these vile practises. The *Jews* were thought to worship *Bacchus*, because they had a Golden Vine in their Temple;

ple; and won't men think you worship *Plutus*? that have brought the Bank thither. Silver shrines may very well become *Diana's* Temple, but more pure souls the Temple of Christ. Let the Priest have leave to purchase the Ministration, when the Deity is a Golden Calf. But to give or take Money to worship the pure Jesus, is more absurd, than to offer Wine to the Nymphs and Water to *Bacchus*; than to throw Bones to the Horses, and Hay to the Dogs.

Is it not more gallant in *Peter* and *Elisba*, to disdain earthy mens proffers, than in poor-spirited *Gebezi* to run after them? Do holy men boast, Silver and Gold have we none; and are we such ignoble minds, as to think we can't be saved without them? That Princes amass treasures, is a sign they are unhappy: Angels and glorified Spirits that injoy perfect bliss refuse it. Pots of Ointment, and rich Washes are the purchase of the deformed: a native beauty needs no paints nor fair-dings. 'Twas a biting conceit of the Poets, that the Carcase of the Sheep that wore the Golden Fleece, was good for nothing. And hence perad-  
Diss. 88. c. Ne-  
gotiatorem.  
 venture came St. *Hierom's* advice, Ne-

M

gotiatorem

goriatorem Clericum—quasi quandam pestem fuge. Leo in his Epistle to Bishop Anatholius assures him; *Virum Catholicum & præcipue Domini Sacerdotem, sicut nullo errore implicari, ita nulla opum cupiditate violari oportet.* Tert. reports that Enoch delivered it as his judgment, that Silver and Gold were *ab angelis malis inventa.* Had he said the Simoniacal use of them had been from the instigation of the Devil, good men would have closed with the opinion.

Lib. de cultu  
femin.

Leg. pro Chri-  
stianis.

De Relig. c. 1.

*Athenagoras*, as a man of the old Christian make, calls these covetous souls, *χρημᾶ των ἐλαττωσ*, as less worth than their treasures. The best *Lactantius* can say of them is, *Quibus rebus nemo melior, nemo justior fieri potest.* No man was ever made more just or more upright by them. Hence he observes the most virtuous Heathens, *abjecerunt omnia—ut solam nudamque virtutem, nudi expeditius sequerentur*; rejected all their pelf, to render themselves more fleet in the pursuit of virtue. It seems the Philosophers had a clearer apprehension of them than our drossy souls, too deep immersed in matter; for they held them to be *πονηρὰς ἐλαττωσ* as voluminous Gowns that hinder our walk; and so do

do *unpueyos e das de l'xas immoderadas* as *Demophilus* speaks. 'Tis strange that a Christian should damn himself, to gain what these brave Heathens slight.

*V. Gal. edit. o. puscula. p. 3.*

'Twas beyond my expectation, to hear *Acosta* say, *Quizacoalt* the God of Riches was the most honoured Idol amongst the *Cholutecas*; yea in all *America*: but he confines it to the Merchants.

*Acosta l. 5. c. 30.*

Our Simonists being of the same trade, are not unlikely to joyn with them; yet 'tis an unaccountable madness, that a man should run such infinite hazards, for what can do him so little service. Could he buy Heaven and Glory, the pardon of his sins, the favour of God, the blood of Christ, or ransom his ruin'd soul by it, 'twere the more excusable. But when it will not purchase him an hours piece of conscience, nor a minutes continuance in this vale of misery, when his time is come; but that with *Judas* he must cast his unjust gain away in fearful desperation, and shut up his days in the blackest Clouds of vengeance. Sith his head must ake, though incircled with a Golden Diadem; his Foot rage with the Gout, though in a Golden Slipper; his heavy Heart must sigh, *bibit licet Gemmas,*

## A General Discourse

*Gemmas*, though he drink Cordials of Pearl; and cannot sleep though he  
*Cyp. l. 1. ep. 2.* sinks in Down; as the eloquent Primate of *Carthage* hath it: who can excuse them from acting worse than children, that beat out their strength in pursuing Butterflies? since children lose but their labour: but these lose Christ, Heaven, Glory, Soul, Body and all Comfort eternally by it. To be poor at worst, is but an afflicting state; but to be Simoniacal is a damning State. By such luckless Acquests, men add more guilt to their consciences, than Gold to their Purses. How literally do these unhappy souls construe and apply the Satyrists' ironical advice

*Pers. Sat. 6.*

*Vende animam lucro—*

but why may he not sell his soul, that thinks it lawful to sell his God? and yet sure, he makes but a bad Title, for the Purchaser never gets him.

But stay, we are slippt into an Ocean of discourse, by following the strong stream of Simony, into the bottomless Sea of Avarice: and in truth there it begins, and there it ends. The Root  
 of



of all evil is the Root of this too; and 'twill be hard to destroy these profane branches, without plucking up the Root. For (as *Polydor Virgil* observed) reckoning up the punishment of Simony; *privatur Sacerdotio, dignitate ac prefectura dejicitur, infamis habetur, multisque aliis afficitur probis*; at length adds, *Tanti criminis, sola est avaritia parens*. *Timon* observes, that covetous that covetous desires are the Elements out of which men may spell all sorts of evil: and have composed this fowl Monster. Whoever can make the best assault upon Avarice, will be the most fortunate man, in the suppression of this most insolent crime. It hath hitherto been too hard for all the moral attaques of God and Man; of the Old Testament and the New, of Prophets and Apostles, of Councils and Parliaments, of Canons and Statutes, of Conformists and Non-Conformists. As diseas'd Bodies have lost their true Gusto, so have these Covetous Souls lost the sense of true praise, and are as difficult to be reclaimed, as men perfectly stupid, are to be taught. But we may well pity them, for as *Seneca* Sen. ep. ad Lucil. 168. often notes, *In nullum Avarus bonus*

*est, in se pessimus*, he is kind to none, but most unkind to himself; loading his Soul with sins, his Name with scandal, and his heart with cares. Yet since he is also a shame to his Church and Country, we will rise up, and call that Senate blessed, that shall consider this sin as the Nations great Grievance, Religions scandal, the Churches damage, and every private mans injury, who himself, his Children or Relations may hereafter be qualified for Church-preferments: and shall accordingly endeavour to perfect blest *Elizabeths* design, by making all Presentations void and forfeited, that shall be clogged with any gifts, payments, promises, Bonds of any sort, Covenants, or other Instruments whatsoever.

Since the Patrons duty is no more than to search out, and his right to no more than to present a learned and pious Guide to the People, to lead them the straight way to Heaven. The Laws of the Land are, or may be made sufficient to curb all Exorbitancies of an Incumbent, without the Patrons By-Laws; which are and will always be made to his private, against the publick benefit. May they also farther provide

## Of Simony.

provide (according to the ancient Law) that no sales of Advowsons may be good, unless they are made in Fee-simple. By which, these subtile Traders will be forced upon a new strain of Invention to cheat the world; and a poor conscientious, modest and grave Divine, may stand as fair for preferment as a Golden Ass. Worldly souls fear men more than God, and Laws more than Gospel: being led by sense rather than faith. The Scriptures shew *Luc. 16. 14.* that the careless neglected, but the Covetous derided Christ; and much more will they the clearest products of Reason and Religion: and therefore we call for the scourge of Laws, which are most proper for the Fools backs, that can't be perswaded by the strongest Arguments: to which therefore I leave them.

**FINIS.**

**A**uthorities are rather to be used, where there are errors real or supposed, and where they are not difficult to meet, in Afteris: the Authors distance from the Press hath given security to some Errors to pass uncontrouled; and many Marginal Citations stand amry, sometimes advanced too high, and at other times depressed too low, which will need the Ingenuity of a kind Reader to rectify: to whom the Author will hold himself a Debter for his pains, and impose no further trouble on him, but to add these few words to Page 84. The right of the Crown to the first Fruits and Tenths in England, accrues from a joint consent of the whole Church, by an Instrument passed in full Convocation in the reign of Hen. 8. A. D. 1534; to transfer the same; which were resigned to the Church again, after twenty years possession by Queen Mary, A. D. 1554, as judged unlawful for her to hold: yet the emptiness of her Exchequer caused her to re seize them not long after, for supply of present wants. Since which time they have continued in the Crown without interruption; wants being as easy to be pretended now as ever, and can never fail to a Covetous mind.

Godwin. Hist. of  
 Hen. 8.

Godw. in vit.  
 Mar.